

The Evolution of United States Code, Title 10: The Ongoing Marginalization Of The Service Chiefs

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Table of Contents

	<i>Page</i>
DISCLAIMER	IV
LIST OF ILLUSTRATIONS	V
PREFACE	VI
CHAPTER 1: INtroduction.....	1
CHAPTER 2: Strategic Origins of Defense Reorganization	4
The Model for Change	7
CHAPTER 3: Strengthening Central authority in the National Military Establishment ...	9
Groundwork for Change—The Eberstadt Task Force	10
First Report of the Secretary of Defense	11
Hoover Commission	12
1949 Amendments	13
CHAPTER 4: Operational Reorganization—Strengthening Operational Commands	18
Department of Defense Reorganization Act of 1953.....	18
Secretary Lovett's Letter.....	19
The Rockefeller Committee	22
Department of Defense Reorganization Plan No. 6.....	25
Rockefeller Brothers Special Study	28
President Eisenhower's Message to Congress--April 1958.....	30
CHAPTER 5: GOLDWATER-NICHOLS DEFENSE REORGANIZATION ACT OF 1986.....	36
Congressional Change in Attitude	38
Proposals for Change in the 1980s.....	40
Joint Requirements Management Board.....	43
Hudson Institute Report	45
Defense Organization-The Need for Change.....	49
Packard Commission	55
Goldwater-Nichols Act	60
CHAPTER 6: RESOURCE ALLOCATION REFORM-THE ONGOING REVOLUTION.....	62
The Rise of the Chairman	64
Chairman's Title 10 Authority	65

Joint Resourcing Tools	67
Joint Requirements Oversight Council	69
Chairman's Program Recommendation	74
Integrated Priority Lists	75
Chairman's Program Assessment.....	76
Joint Vision 2010 Implementation Process.....	78
A Declining Congress	80
The Quiet Reorganization.....	81
What it all Means.....	84
Where Do We Go From Here?	86
 CHAPTER 7: CONCLUSIONS	91
 APPENDIX A: ..1947 NATIONAL MILITARY ESTABLISHMENT ORGANIZATION	
APPENDIX B:.....	1947 Joint Chiefs of Staff Organization
APPENDIX C:	1949 DEPARTMENT OF DEFENSE ORGANIZATION
APPENDIX D:.....	1949 Joint Chiefs of Staff Organization
APPENDIX E:	1953 JOINT CHIEFS OF STAFF ORGANIZATION
APPENDIX F:.....	1953 Department of Defense Organization
APPENDIX G:	1958 JOINT CHIEFS OF STAFF ORGANIZATION
APPENDIX H:.....	1958 Department of Defense Organization
APPENDIX I:	1987 JOINT CHIEFS OF STAFF ORGANIZATION
 GLOSSARY	
Part 1-Acronyms:.....	
Part 2-Definitions.....	
 BIBLIOGRAPHY.....	

Illustrations

	<i>Page</i>
Figure 1. Paths of DoD Reform.....	3
Figure 2. Key Legislative Changes Made to Title 10 between 1947 and 1958.....	34
Figure 3. Reform timeline: Strategic and Operational Centralization.....	39
Figure 4. Evolution of National Security Council.....	58
Figure 5. Chairman's U.S.C. Title 10, 1988 Authority for Requirements, Programs and Budgets.....	66
Figure 6. Chairman's U.S.C. Title 10, 1988 Authority for Doctrine, Training and Education.....	67
Figure 7. Chairman's Influence in Planning, Programming & Budgeting System.....	68
Figure 8. Joint Requirements Oversight Council U.S.C. Title 10, 1988 Mission.....	70
Figure 9. Joint Requirements Oversight Council Evolution.....	71
Figure 10. MNS Validation and Approval Process.....	73
Figure 11. JROC Assessment Process.....	75

Executive Summary

Title: *THE EVOLUTION OF UNITED STATES CODE, TITLE 10: THE ONGOING MARGINALIZATION OF THE SERVICE CHIEFS*

1. **Author:** Major John D. Gamboa, United States Marine Corps
2. **Thesis:** The military departments' resource allocation authority is being marginalized by the Chairman of the Joint Chief of Staff who is consolidating his resource allocation authority at the expense of the Service Chiefs.
3. **Discussion:** Since the National Security Act of 1947 created the National Military Establishment, there has been a near continuous string of defense reforms seeking to bring efficiency to the Department of Defense. Between 1947 and 1986 these United States Code (U.S.C.) Title 10 reforms have followed a logical pattern in which greater efficiency has been brought to the strategic and operational processes within the Department of Defense.

As greater efficiency has been legislated within the Department, the Chairman of the Joint Chiefs of Staff has been one of the foremost beneficiaries of the resulting increase in Department centralization. Whether as an act of commission or as an unintended consequence, the Chairman's rise has precipitated a commensurate loss in the power and authority of the military Service Chiefs.

The Goldwater-Nichols Defense Reorganization Act of 1986 was a landmark event among the litany of defense reforms. It effectively completed strategic and operational reform in this century and opened a new chapter in resource allocation reform. Empowered by Goldwater-Nichols, the Chairman is now consolidating his resource allocation authority by implementing procedural changes that will complete his ascendency to power.

4. **Conclusion:** The Chairman of the Joint Chiefs of Staff is currently engaged in a campaign to consolidate his resource allocation authority by leveraging the powers granted to him under Goldwater-Nichols. With the support of the Secretary of Defense, the Chairman is implementing Departmental policy changes that will increasingly allow him to exert control over a larger portion of the Department's Total Obligation Authority without the benefit of U.S.C. Title 10 resource allocation authority. Many of these changes are taking place behind the scenes and with little controversy. Unless a reversal of current trends takes place, future U.S.C. Title 10 legislation will be a *fait accompli* that simply legislates current Departmental resource allocation policies.

Preface

This paper is the result of an event that occurred while I was serving as an action officer within the Department of Programs and Resources, Headquarters, Marine Corps between 1995 and 1998. During a staff action involving USCINCPACOM's assumption of numerous joint experimentation activities formerly controlled by the Chairman of the Joint Chiefs of Staff, an information paper I submitted to the Commandant came back with "**PROTECT MY TITLE 10!**" written boldly in the margin. Having never read Title 10 from a source document, I figured this was probably a good time to break out the document and actually read it if the Commandant was expecting me to protect his legal authority.

As I familiarized myself with Title 10, it became clear to me that there were many misinterpretations of Title 10 that were probably the result of the numerous legislative changes that had taken place since the National Security Act of 1947. Over a span of fifty years, these legislative changes had contributed to a growing concern among the military Service Chiefs that their Title 10 authority was being diminished with respect to the Chairman of the Joint Chiefs of Staff. As the Chairman consolidated power within the Department's strategic and operational processes, the Service Chiefs were finding themselves increasingly backed into a corner where they clung to their last remaining bastion of Departmental influence—their resourcing authority.

As the Chairman moves closer and closer to usurping this authority, the Service Chiefs are frequently charging the Chairman with infringing on their United States Code (U.S.C.) Title 10 resourcing authority. Within an increasingly constrained resourcing environment, a show-down looms in the future between resourcing the Chairman's joint needs and the Services' core competencies. While much has been written about the evolution of the Chairman within the Department, little has been written about the Chairman's current consolidation of resourcing influence. Among such studies, even less has been written about the likely path of future Title 10 statutory changes. This paper seeks to clarify the evolution of U.S.C. Title 10 and identify the sources of friction that have placed the Chairman on a collision course with the Service Chiefs over the future of the resource allocation process.

I'd like to acknowledge and thank Dr. Jack Matthews and LtCol Steve Fenstermacher for their assistance and advice provided during this study. I'd also like to thank my wife Catherine who in providing a sanity check of my writings has been exposed to more Title 10 legislation than any wife should ever be subjected.

Chapter 1

Introduction

It is my firm conviction that there has never been a greater example of the inherent genius of our governmental institutions than the American-developed Joint Chiefs of Staff concept. By this method the United States has solved the great dilemma of how to keep a democratic nation militarily strong without injecting into the nation's body politic the fatal germs of militarism.

—Senator Hubert Humphrey
Hoover Commission Task Force Report

For over 50 years, the United States has struggled to efficiently organize its defense bureaucracy in order to provide effective armed forces capable of ensuring “our common defense.” Beginning with the National Security Act of 1947, a concerted effort at bureaucratic reform was begun that continues today. A consequence of resulting Department of Defense (DoD) reorganizations has been significant power shifts that have affected the balance of power between—and within—the Executive and Legislative branches of government.

Within the military establishment, a struggle has resulted as power has shifted between the military Services, the Office of the Secretary of Defense (OSD), and the Chairman of the Joint Chiefs of Staff (CJCS). These power shifts have caused frequent clashes between the Services, and those they perceive as intrusive “outside elements.” In an environment where power is played according to “zero-sum-game” rules, there have been winners and there have been losers. While the winners vary, the losers have consistently been the military Service Chiefs. At the root of this conflict lies United States

Code (U.S.C.) Title 10, which delineates the statutory responsibilities and authority of each organization within the Department of Defense.

Since 1947 the military Service Chiefs have continuously defended their U.S.C. Title 10 authority against what they have charged as being infringements. Echoing what they perceive as their statutory mandate to “organize, train and equip,” their forces, Service Chiefs have found themselves increasingly at odds with the Chairman, *whose own Title 10 mandate to provide joint forces* almost ensures inter-Departmental conflict. This clash of U.S.C. Title 10 authority demands that additional statutory changes take place if the Department is to complete its evolutionary advance towards becoming a truly efficient and effective joint force.

In the 50-plus years since the 1947 National Security Act was enacted, the National Command Authority (NCA) has initiated—and Congress has legislated—four particularly controversial and far-reaching DoD reorganizations in pursuit of strategic unification and operational effectiveness.¹ Common to each reorganization has been the desire to correct three fundamental areas of dysfunction—each of which has involved the authority of the Joint Chiefs of Staff (JCS) (See Figure 1):

- 1) **Strategic:** The need to correct the lack of strategic centralization of Departmental power under a civilian Secretary of Defense.
- 2) **Operational:** The need to improve operational effectiveness by clarifying and streamlining the confused chains of command over the warfighting forces in the field.
- 3) **Resource Allocation:** The need to correct the Joint Chiefs of Staff lack of adequate joint interests in resource allocation and budgetary matters.

¹ The four legislative changes this paper will focus on are the DoD Reorganization Acts of 1949, 1953, 1958 and 1986.

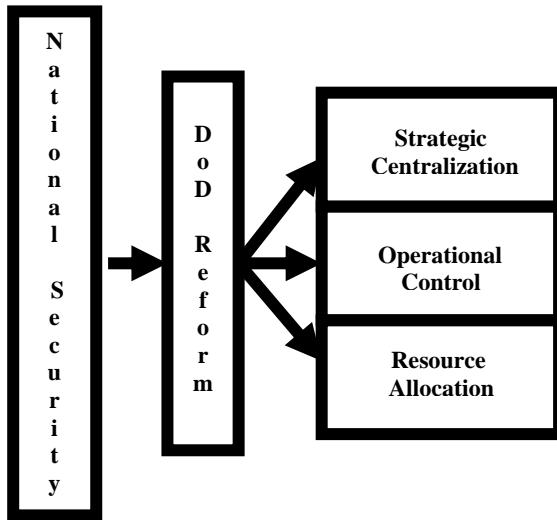


Figure 1. Paths of DoD Reform

Driven by the desire to correct these areas of military inefficiency, legislative changes contained in the Amendments of 1949, 1953, 1958, and 1986 have addressed each of these areas to various degrees. The greatest progress has been made along the strategic and operational paths, while the problems associated with joint resource allocation remain largely unsolved.

The purpose of this paper is to document and assess legislative changes to U.S.C. Title 10 in order to clarify the responsibilities of—and consequences to—the Service Chiefs and Chairman that make up the Joint Chiefs of Staff. To assist in assessing the collective whole of legislative change, this paper will categorize U.S.C. Title 10 legislative reform by functional objective—strategic, operational and resource allocation. The focus will be on the power shifts within each of these realms, their effect on individual Service and joint military efficiency, and prospects for future U.S.C. Title 10 changes.

Chapter 2

Strategic Origins of Defense Reorganization

Competition is the heart and soul of American industry and the American people. Why should it be different in the armed services? What is wrong with esprit de corps? What is wrong with a man's having pride in his own unit or his own branch of service?

—Representative Carl Vinson
D-Ga

The 1997 United States National Security Strategy identifies its basic mission and constitutional duty as: “Protecting the security of our nation—our people, our territory and our way of life.”² Although the Constitution was signed over 220 years ago, as a nation we continue to seek the same fundamental liberties made possible by the collective elements of our national power—to “provide for the common defense, promote the general welfare, and secure the Blessings of Liberty to ourselves and our Posterity.”³ Yet even with such an unequivocal and unchanging mandate, American armed forces have struggled to organize themselves to efficiently provide effective fighting forces in support of our nation’s strategy.

A landmark event in the organization of American armed forces occurred with the signing of the National Security Act of 1947. The fundamental purpose of this act was to integrate the elements of national power by establishing an efficient structure for formulating and executing national security policy at the highest levels of the U.S.

² William J. Clinton, *A National Security Strategy for a New Century*, (Washington, The White House, 1997), 1.

³ The Constitution of the United States, 17 September 1787

Government. In so doing, “the military establishment received special and detailed attention because of its central role in making and executing national security policy.”⁴

Even before passage of the National Security Act, the seeds of dissent were planted. In a message to Congress on 19 December 1945, President Truman identified contentious issues needing resolution—some of which continue to plague the Department today. President Truman called for major changes that included unifying the Army and the Navy, increasing civilian control, increasing joint training, improving unity of command in outlying bases and integrating strategic plans, programs and budgets. Within his message, President Truman provided an overarching philosophy for change:

With the coming of peace, it is clear that we must not only continue, but strengthen, our present facilities for integrated planning. We cannot have the sea, land, and air members of our defense team working at what may turn out to be cross-purposes, planning their programs on different assumptions as to the nature of the military establishment we need, and engaging in an open competition for funds.⁵

Testifying before the Senate on the draft National Security Act legislation, General Eisenhower supported President Truman’s call for a unified Department when he remarked “I did recommend, and I believe in, a single Chief of Staff.”⁶ With the groundwork laid, two years later in July 1947, Congress declared its intent “to provide a comprehensive

⁴ Department of Defense, Office of the Secretary of Defense, Historical Office, *The Department of Defense Documents on Establishment and Organization 1944-1978* (Washington, Office of the Secretary of Defense, Historical Office, 1978), v.

⁵ Harry S. Truman, *Public Papers of the Presidents of the United States: Containing the Public Messages, Speeches, and Statements of the President, Jan 1 1945-Dec 31 1947*, (Washington: Government Printing Office, 1961), 546-60.

⁶ U.S. Congress, Senate, Committee on Armed Services, Hearings on S. 758, 80th Cong., 1st sess., (Washington: Government Printing Office, 1947), 99.

program for the future security of the United States”⁷ by enacting the National Security Act of 1947. Passed on 26 July 1947, the legislation established what remains the “foundation for the U.S. national security establishment”⁸ (See Appendix A). The act’s most significant highlights included:

- Creating the National Military Establishment (NME) consisting of the Departments of the Army, Navy and Air Force.
- Designating the Secretary of National Defense to exercise general authority, direction, and control over the NME.
- Establishing the United States Air Force as a separate department.
- Establishing the Central Intelligence Agency (CIA) and National Security Council (NSC).
- Establishing the JCS as principal military advisors to the President and the Secretary of Defense (See Appendix B).
- Establishing a legal basis for Unified and Specified Commands.⁹

Shortly after enacting the National Security Act of 1947, General Omar Bradley delivered a blistering condemnation of the parochial interests that had stood in the way of joint operational excellence.

Like all institutions in their years of infancy, unification has had growing pains. It has had to contend with traditions, stubbornly rooted in each of the arms. It has had to conquer aspirants, more concerned with careers than with their

⁷ National Security Organization Committee, *Task Force Report Prepared for the Commission on Organization of the Executive Branch of Government*, Appendix G, (Washington: Government Printing Office, 1949), 1.

⁸ Barry Goldwater, Speech to Congress, 3 October 1985. Reprinted in Armed Forces Journal Extra, October 1985, p. 16.

⁹ U.S. Congress, House, Hearings Before the Committee in the Executive Department on the National Security Act of 1947. 80th Congress, 1st session, April 2, 24, 25, 29, May 2, 6, 7, 8, 13, 15, June 10, 11, 12, 17, 19, 20, 24, 26, 30, July 1, 1947, H. Rpt. 2319. (Washington: Government Printing Office, 1947), 1-15.

obligations. It has had to contend with generals and admirals blind to the future. It has had to prevail against reckless specialists intent on beating their own drums. It has had to endure men endowed with more prejudice than common sense. As a matter of fact, unification has had to contend with all the shortcomings that afflict humans. For the Services, unfortunately, are not immune to quirks and frailties of average men.

Yet, in spite of all this, and in spite of the carping critics who asserted it would not work—a worth-while start has been made in unification and has given to your Armed Services a new perspective on their problems, a perspective that I hope will eventually mean better defense at a cheaper price with considerably less confusion.¹⁰

General Bradley's address provides a representative viewpoint for the primacy of joint interests over those of the individual Services. Against this backdrop, ensuing U.S.C. Title 10 legislation sought to eradicate individual Service interests considered to be parochial, counterproductive and myopic.

The Model for Change

The manner in which the 1947 National Security Act was initiated, legislated and implemented provided *the* model for subsequent defense related legislative change. Throughout the 1940's and 1950's, every significant legislative change was initiated within the Executive branch of government. Although Congress is charged within the Constitution "to raise and support Armies," "to provide and maintain a Navy," and "to provide for organizing, arming, and disciplining, the militia,"¹¹ the Executive branch of government has consistently taken the lead in initiating Department reorganizations.

That the Executive branch has led the reform movement should come as no surprise. The military, as one of the elements of national power, must be properly organized to

¹⁰ Omar N. Bradley, Chief of Staff, United States Army, *Excerpt of remarks made at Navy Day Observance*, Des Moines, Iowa, October 27, 1948.

¹¹ The Constitution of the United States, 17 September 1787

responsively meet the requirements of the Nation’s national security strategy—as provided by the President’s concept of military utility. When the military is not properly organized, the President has a vested interest in taking the necessary actions to remedy organizational shortcomings. As the Commander in Chief, the President bears the brunt of responsibility should misorganized forces fail to perform when committed.

Congress’ role in the 1947, 1949, 1953 and 1958 defense reorganizations was as the constitutionally designed counterbalance against Presidential moves deemed to be counterproductive to national security. In this role, Congress thwarted many Presidential reorganization initiatives seen as ill-conceived or excessively bold. Throughout the 1940’s and 1950’s, Congress effectively played the role as a counterbalance to bold change that might risk unhinging what was largely seen as an effective—albeit inefficient—military organization.

This is not to say that Congress has shown a lack of interest in Defense matters. To the contrary, Congress has maintained a high level of Committee interest, oversight—and when required—Congressional inquiries to resolve questions regarding military efficacy. Yet despite the magnitude of Congressional oversight, history shows that between 1947 and 1958, the Executive branch was the lead proponent for reform. Where Congress deliberated, President’s acted.

Even with Congress opposing counterproductive legislation, the Executive branch of government has been incrementally successful in affecting change to DoD from the top down. The first comprehensive area of executive reform began with President Truman’s determined efforts to centralize strategic authority, while strengthening civilian control over the military.

Chapter 3

Strengthening Central Authority in the National Military Establishment

In the National Military Establishment, the critical points of this problem are in two places—the Secretary of Defense and the Joint Chiefs of Staff—and in the relations between them. Neither is functioning entirely as intended.

—Ferdinand Eberstadt
Task Force Report

Following enactment of the 1947 National Security Act, it was widely accepted that while the Act legislated a great step forward for national defense, numerous areas of concern remained to be rectified. To address these concerns, both the Congress and the President solicited studies and reports to make recommendations for further organizational improvements to the Department.

On 7 July 1947—two weeks *prior* to passage of the 1947 National Security Act—Congress passed Public Law 162, which directed a thorough examination of the operation and organization of the government’s executive functions and activities. To support this mandate, former President Herbert Hoover was appointed as Chairman of the newly created Commission on Organization of the Executive Branch of Government.

Within the Executive branch of government, it was widely known that President Truman, with the backing of General Eisenhower, was not satisfied with the level of centralized authority legislated by the National Security Act. In the latter days of the National Security Act hearings, General Eisenhower lamented, “I did recommend, and I believe in, the single Chief of Staff,” and hopefully “...time may bring it about.” As subsequent events would prove, both Mr. Truman and General Eisenhower regarded the

Act as only the beginning of an evolutionary process where, ultimately, one man would dominate the development of military strategy and policy. In the ten years following the passing of the National Security Act, both Eisenhower and Truman persisted in their efforts to see more power concentrated at the top of the military chain of command.

On 26 July 1947—the same day that the National Security Act was approved—President Truman nominated the Secretary of the Navy, James Forrestal, as the first Secretary of Defense. Determined to correct the many inadequacies of the National Security Act, President Truman requested that Secretary Forrestal submit a report to further improve the efficacy and control of the Department. With this act, the President moved to reestablish the initiative in shaping the follow-on legislation to the 1947 National Security Act.

Groundwork for Change—The Eberstadt Task Force

To initiate the sequence of change, on 21 May 1948, the Hoover Commission established a Committee to review the recently formed military establishment. Christened the Committee on the National Security Organization, the task force became widely known as the Eberstadt Task Force—named after its Chairman Ferdinand Eberstadt. Tasked to study the existing organization for methods to improve operations and reduce costs, the Eberstadt Task Force submitted its report on 15 November 1948.

While noting that the 1947 National Security Act had made great improvements in the National Security Organization as a whole, the Eberstadt Commission made six specific recommendations for improving the organization.

1. Central authority in the National Military Establishment should be strengthened.

2. The Secretary of Defense's authority over the military budget should be clarified and strengthened.
3. Teamwork and coordination throughout the National Security Organization should be improved.
4. Immediate steps should be taken to establish closer working relations between the JCS and the Research and Development Board.
5. More vigorous attention should be given to the prompt preparation of sound and adequate mobilization plans for both Government agencies and industry.
6. Foresight, imagination, and vigor are necessary...to guard against attacks by unconventional means and weapons.¹²

First Report of the Secretary of Defense

Coming a mere month after the Eberstadt report, in December 1948 Secretary Forrestal submitted a report providing his assessment of the new organization's effectiveness. Significant among the Secretary's report were recommendations to strengthen his central authority over the Department—the first of many such moves by Forrestal and his successors to contain the authority of the Service Chiefs. With only 15 months as Secretary of an equally fledgling Department, Forrestal identified many issues that remain controversial today—consolidating Secretary of Defense influence within the National Security Council (NSC), clarifying the operational chain of command and increasing control over the Joint Chiefs of Staff.

To increase his influence within the Executive branch of government, Forrestal recommended that the Secretaries of the Army, Navy, and Air Force be dropped as statutory members of the NSC—leaving himself as the *sole* representative of the NME on

¹² U.S. The Commission on Organization of the Executive Branch of the Government. The Committee on the National Security Organization, *Task Force Report on National Security Organization, Appendix G*, (Washington: Government Printing Office, 1949), 11-22.

the council.¹³ To increase the Secretary's control over the Department, Forrestal recommended that his authority be "materially strengthened" by omitting the word "general" from his mandate to exercise "general direction, authority, and control" over the Departments and agencies of the National Military Establishment. Already frustrated with the divisive nature of the JCS, Secretary Forrestal called for designating a "responsible head" for the Joint Chiefs of Staff.

Hoover Commission

The Hoover Commission report to Congress accepted and reinforced the basic findings of the Eberstadt Task Force concerning the enlargement of the Office of the Secretary of Defense, and closely conformed to the proposals by Secretary Forrestal in his letter to the President. On 15 February 1949 the Commission on Organization of the Executive Branch of Government (Hoover Commission) summarized its conclusions with six recommendations, most of which had earlier been considered and rejected by Congress. Of these six recommendations, the first two—and most significant—recommendations dealt directly with furthering the authority of the Secretary of Defense, subject to the approval of the President and Congress:

- 1) That full power for preparation of the budget and expenditures should be vested in the Secretary of Defense and the entire budget system should be overhauled.
- 2) a. That the principle of civilian control be the guiding principle of all NME legislation.
b. That all statutory authority vested in the Service Departments be granted directly to the Secretary of Defense.

¹³ U.S. National Military Establishment, First Report of the Secretary of Defense, (Washington: Government Printing Office, 1948), 3-4, 7-8.

- c. That the Secretary of Defense have full authority to establish policies and programs.
- d. That the Service secretaries be deprived of their privilege of appeal over the head of the Secretary of Defense; that they be directly and exclusively responsible to him; that the Secretary of Defense be the sole agent reporting to the President; that the Service secretaries, to clarify their positions, be designated the Under Secretaries for Army, Navy, and Air Force.
- e. That the Secretary of Defense shall appoint a Chairman to preside over the Joint Chiefs of Staff and to represent, and report to, the Secretary of Defense.¹⁴

On 7 March 1949, in a Message to Congress, President Truman incorporated many of the essential findings of the Eberstadt, Hoover, and Forrestal Reports and submitted his plan for reorganizing the Department with the following comments:

I, therefore, recommend that the National Security Act be amended to accomplish two basic purposes: first to convert the National Military Establishment into an Executive department of the government, to be known as the Department of Defense; and, second, to provide the Secretary of Defense with appropriate responsibility and authority, and with civilian and military assistance adequate to fulfill his enlarged responsibility.¹⁵

1949 Amendments

Following Congressional approval to create an Under Secretary of Defense in April 1949, the House (H.R. 5632) and Senate (S. 1843) held hearings in late June and early July to consider the calls for change by Truman, Eisenhower, Hoover, Eberstadt and

¹⁴ U.S. The Commission on Organization of the Executive Branch of the Government. *The Committee on the National Security Organization, The National Security Organization, A Report to the Congress*, (Washington, Government Printing Office, 1949), 12-13, 16-21.

¹⁵ Harry S. Truman, *Public Papers of the Presidents of the United States: Containing the Public Messages, Speeches, and Statements of the President, Jan 1 1949-Dec 31 1949*, (Washington, Government Printing Office, 1964), 163-166.

Forrestal.¹⁶ To expedite the process, President Truman transmitted Reorganization Plan No. 8, which contained most of the provisions of the Senate bill, and on 28 July and 2 August the Conference Report was agreed to by the Senate and House of Representatives respectively.¹⁷

Truman had long been in favor of making the Defense Secretary a member of the cabinet and head of an Executive department of the government. In a letter sent on June 15, 1946 to Secretary of the Navy, James Forrestal, and Secretary of War, Robert Patterson, President Truman had made his views clear: "There should be one Department of National Defense. It would be under the control of a civilian who would be a member of the Cabinet."¹⁸

On 10 August 1949, President Truman signed the "National Security Act Amendments of 1949" redesignating the National Military Establishment an Executive department to be known as the Department of Defense. Within this new Executive department would exist the redesignated *military* Departments of the Army, Navy and Air Force (See Appendix C). More importantly it considerably strengthened the Secretary of Defense's direction, authority and control over the Department in two ways. First, responding to calls to strengthen civilian control over the Department, the Secretaries of the Army, Navy and Air Force were removed as permanent members of the National Security Council and relegated to positions as advisors upon Presidential

¹⁶ Sources: U.S. Congress. House of Representatives, Committee on Armed Services. *Amending the National Security Act of 1947 to Provide for an Under Secretary of Defense. H. Rpt 143. 81st Cong., 1st sess.*, (Washington: Government Printing Office, 1949).

U.S. Congress. Senate, Committee on Armed Services. *Amending the National Security Act of 1947 to Provide for an Under Secretary of Defense. S.Rpt 104. 81st Cong., 1st sess.*, (Washington: Government Printing Office, 1949).

¹⁷ U.S. Congress. House of Representatives, Conference Committee. *National Security Act Amendments of 1949. H. Rpt 1142. 81st Cong., 1st sess.*, (Washington: Government Printing Office, 1949).

¹⁸ Harry S. Truman, *Public Papers of the Presidents of the United States: Containing the Public Messages, Speeches, and Statements of the President, Jan 1 1946-Dec 31 1946*, Letter to the Secretary of the Navy Forrestal and Secretary of War Patterson, dtd 15 June 1946 (Washington: Government Printing Office, 1962), 303-308.

request. As such, the Secretaries lost their statutory right to present reports directly to the President and the Bureau of the Budget. In their place, the Vice President was added as a permanent member of the NSC.

Responding to charges that the collective JCS body was largely ineffective as military advisors, the 1949 amendments created the position of the Chairman of the Joint Chiefs of Staff (See Appendix D). While stipulating that the Chairman would not exercise military command over the Joint Chiefs of Staff or any of the military Services, the Chairman was charged to perform the following duties:

- (1) serve as the presiding officer of the Joint Chiefs of Staff;
- (2) provide agenda for meetings of the Joint Chiefs of Staff and assist the Joint Chiefs of Staff to prosecute their business as promptly as practicable; and
- (3) inform the Secretary of Defense and, when appropriate as determined by the President or the Secretary of Defense, the President, of those issues upon which agreement among the Joint Chiefs of Staff has not been reached.¹⁹

From these modest beginnings, the position of Chairman was to undergo numerous revisions that would go far towards elevating the position to being the omnipotent military advisor to the Secretary of Defense, National Security Council and the President. As Lieutenant General Victor H. Krulak stated in his study: *Organization for National Security*:

As a result of these changes it was clear that of the three bedrock decisions made by Congress in 1947, two had suffered serious damage. First, the nation would now have, in one person of the Joint Chiefs of Staff Chairman, one military man superior to all others in uniform: "He shall take precedence over all other officers in the Armed Services." However, due to the stubborn resistance of Representative Vinson, the law would limit his authority: "...the Chairman shall

¹⁹ U.S. Government, *The National Security Act of 1947 as amended by Public Law 216*, 81st Congress, approved August 10, 1949.

not exercise military command over the Joint Chiefs of Staff or over any of the military Services.”²⁰ Henceforward, however, the President would have his military advice from one man rather than three.

And second, the functions of the Secretary of Defense, theretofore clearly limited, would be greatly broadened...The Secretary, at its head would exercise unqualified authority over the Department...The Departments of Army, Navy and Air Force, downgraded from Cabinet level and their Secretaries, denied their previously authorized direct access to the President and Bureau of the Budget, would subsequently be represented in the critical budget area by the Defense Secretary only.²¹

The 1949 Amendments marked the first of many reorganizations to incrementally centralize and streamline the authority of the Secretary of Defense and Chairman over strategic planning and operational authority. It is clear from President Truman’s comments in 1945, that he had formulated his earliest visions of strategic unification during World War II, well before he became President. Following his assumption of the Presidency, Truman in close deliberations with General Eisenhower reached the mutual conclusion that the JCS were an obstacle to joint efficiency.

President Truman clearly did not see dissension among the JCS as a source of strength from which a wellspring of original thought might be tapped. Holding JCS disagreement in disdain, he couched Service Chief dissension as the manifestation of selfish subservience to Service parochialism’s. To President Truman, the solution seemed clear—place someone in charge capable of trumping JCS squabbles, and the debilitating effects of inter-Service competition would be removed.

Facing the three areas of reform needed within the military establishment (strategic, operational & resourcing), President Truman properly chose to tackle reform at the highest level first. By unifying strategic control under an empowered Secretary of

²⁰ U.S. Government, *The National Security Act of 1947 as amended by Public Law 216*, 81st Cong., para 101 (c) (1), approved August 10, 1949.

²¹ Victor H. Krulak, *Organization for National Security: A Study* (Washington: United States Strategic Institute, 1983), 59-60.

Defense, unity would be brought to the Department. The unassailable strength of President Truman's initiatives lay in the tenet of civilian control. By couching the 1949 reforms as necessary to strengthen civilian control, Truman neutralized any serious contention from the military block. Military leadership voicing opposition to the principle of civilian control would merely validate the President's contention that the military must be held in check. The creation of the Chairman's position, while unobtrusive in its initial construct, laid the foundation for further strategic and operational unification in follow-on reform initiatives.

Chapter 4

Operational Reorganization Strengthening Operational Commands

It would be the height of folly for us to assume that a war could be won by any single weapon. If we should ever have to fight another war, I cannot visualize a situation in which any one of the services would operate independently. We must have a strong Army, a strong Navy, and a strong Air Force, and we must have them all working together in the closest cooperation under all circumstances.

—James Forrestal
First Secretary of Defense

Department of Defense Reorganization Act of 1953

As the newly reorganized Department of Defense entered the 1950's, the National Security Act of 1947 and the 1949 amendments provided the necessary foundation for centralizing strategic authority under the Secretary of Defense. Foremost among these accomplishments was the overarching mandate to ensure civilian control over the military and its leadership. Although strategic improvements were still needed and coming, the Korean War brought the Department's *operational deficiencies* to the forefront of reorganization concerns.

Coming amidst the Korean War, the 1952 Presidential election ushered Dwight D. Eisenhower into the White House, and with him came many personal convictions regarding needed organizational changes. President Eisenhower possessed unique qualifications to assess operational efficacy, having served as Supreme Allied

Commander during World War II, Army Chief of Staff from 1945-1948 as well as having been recalled to active duty in early 1949 to serve as presiding officer of the Joint Chiefs of Staff. Based on his personal experiences, Eisenhower was determined to correct what he saw as the shortcomings of previous attempts to unify the Department into a truly joint organization.

Central to Eisenhower's reorganization efforts begun in the 1950's was addressing two areas of JCS dysfunction in need of remedy :

- 1) an enlargement in their corporate role at the expense of that of the Services;
- 2) the establishment and rising prominence of the JCS Chairman²²

As the Korean War ground to a stalemate, President Eisenhower turned his attention towards realigning the operational leadership within the Department.

Secretary Lovett's Letter

Picking up where President Truman left off, Eisenhower entered office and took possession of outgoing Secretary of Defense Robert A. Lovett's recommendations for improving the organization of the Department. Originally submitted as a letter to President Truman on November 18, 1952 and released on January 8, 1953, Lovett's recommendations for change targeted what would soon become a familiar controversy regarding JCS organization, authority and effectiveness.

²² Joint Chiefs of Staff, Historical Division, Joint Secretariat, *Joint Chiefs of Staff, Special Historical Study, The Evolving Role of the Joint Chiefs of Staff in the National Security Structure* (Washington, Historical Division, Joint Chiefs of Staff, 1977), 1.

By 1953, an assailable weakness was found in the perception that JCS ineffectiveness was due to what Lovett described as “excessively rigid statutory prescriptions of functions” and “rigid statutory composition,” which made it almost impossible for the Committee to perform “efficiently and expeditiously.” To improve the operational effectiveness of the JCS, Lovett recommended a number of changes to redefine and focus the JCS on strategic planning and operational war plans.

Recognizing that the JCS were severely overburdened with administrative matters, Lovett recommended broad powers of delegation be granted allowing Service Vice Chiefs to assume the burden of these responsibilities. This would allow the JCS members to rightfully focus on providing timely and effective military council to the Secretary of Defense, National Security Council and the President.

In addition to refocusing the JCS members on matters of strategic and operational importance, Lovett found it ludicrous that the Chairman—the only member of the JCS not bound by Service parochialism—should be denied a voice to express his opinion. Lacking a “vote” in JCS deliberations, the Chairman was relegated to a position that limited him to being merely a messenger for delivering JCS decisions to the National Command Authority. To correct this problem, Lovett recommended that the Chairman be granted a “vote” to increase his value to the military decision making apparatus:

The Chairman of the Joint Chiefs of Staff should be given a “vote.”...It is perfectly obvious that he will have, or should have, some opinion on the matters which come before the JCS for discussion and it is unrealistic to assume that the Secretary of Defense will not ask his opinion or that he should not give it. The Chairman of the Joint Chiefs of Staff is the only member who is not directing a particular Service. He is the military officer to whom the President and the

Secretary of Defense must look for the organization and evaluation of military judgement.²³

Most important in addressing operational control was Lovett's call to remove the JCS from the chain of command that placed them between the President and the Unified CINCs. As originally established in a Secretary of Defense memorandum dated April 21, 1948, the Key West agreement made clear the JCS responsibility for providing "strategic direction" of the armed forces while providing the "general direction" for all combat operations. The Key West Agreement also sanctioned the practice by which the JCS designated one of their members as "executive agent" for each of the Unified or Specified Commands.²⁴ Lovett emphasized that this arrangement made it possible to violate the principle of civilian control by "leaving it confused as to whether, in the case of the Unified Commands, the theater commander reports to the Joint Chiefs of Staff or the Secretary of Defense."²⁵

As an alternative approach to the existing JCS system, Lovett proposed that a "Combined Staff" be created, whose membership would be made up of senior officers who had recently served as Chief of Staff of one of the Services. Lovett's logic was that by creating a "Combined Staff" freed from Service responsibilities, they would provide unfettered and more useful military council. Recognizing that this proposal ran counter to the 1947 National Security Act prohibition against establishing an "Armed Forces

²³ Robert A. Lovett's *Letter to President Truman*, 18 November, 1952.

²⁴ Joint Chiefs of Staff, Historical Division, Joint Secretariat, *Joint Chiefs of Staff, Special Historical Study, The Evolving Role of the Joint Chiefs of Staff in the National Security Structure* (Washington, Historical Division, Joint Chiefs of Staff, 1977), 6.

²⁵ Joint Chiefs of Staff, Historical Division, Joint Secretariat, *Joint Chiefs of Staff, Special Historical Study, The Evolving Role of the Joint Chiefs of Staff in the National Security Structure* (Washington, Historical Division, Joint Chiefs of Staff, 1977), 6.

General Staff,” Lovett acknowledged that such a change might be too “abrupt and disruptive” at the time.

The Rockefeller Committee

The next step towards change came on 11 February 1953, when Secretary of Defense Charles E. Wilson appointed Nelson A. Rockefeller to head a committee on Department of Defense organization. After extensive hearings and study, the report was forwarded to President Eisenhower with Secretary Wilson’s full concurrence.²⁶

Reinforcing many of the tenets of former Secretary Lovett’s letter, the Rockefeller Committee recommended a number of changes designed to establish “an organization in the Department of Defense which is capable of providing the Nation with maximum security at minimum cost and without danger to our free institutions, based on the fundamental principle of civilian control of the military establishment.” To increase the operational efficiency of the organization, the Committee’s recommendations were intended:

- 1) To clarify the authority of the Secretary of Defense;
- 2) To clarify the command channels within the Department, especially to strengthen the status of the Secretaries of the Military Departments;
- 3) To increase the ability of the Joint Chiefs of Staff to serve as the top military planning and advisory group by—

²⁶ A later study on defense reorganization reported that Henry Kissenger had “in large part” prepared the Rockefeller Report. Given Mr. Kissenger’s penchant for centralized power—as evidenced by his ability to later serve simultaneously as both Secretary of State and National Security Advisor to the President—a better framework to understand the Rockefeller Report might be gained. Source: The Committee on Civilian-Military Relationships, *An Analysis of Proposed Joint Chiefs of Staff Reorganization*, The Hudson Institute, (Indianapolis, Hudson Institute, 1984), 10.

- Clarifying the role of the Chairman;
- Enabling the other members better to discharge their obligation to the Department as a whole; and
- Clarifying executive responsibility for Unified Commands.²⁷

The Rockefeller Committee was unanimous in the view that “the Secretary of Defense should have complete and effective authority over the entire Department of Defense.”²⁸ This view was in response to numerous challenges to Secretary of Defense authority based on the 1947 National Security Act inclusion of the statement that required the three military Departments to be “separately administered.” The Rockefeller Committee interpreted the statement’s intent as calling for the military Departments to “continue to be separately organized and administered by their respective Secretaries, *subject to the direction, authority, and control of the Secretary of Defense.*”²⁹

In an attempt to put this issue to rest once and for all, the Rockefeller Committee requested legal council and interpretation of the 1947 National Security Act. In providing their legal interpretation of the statute, the legal opinion stated:

It is always possible for individuals who do not agree with the purposes and intent of a statute to engage in semantic sophistry and to try and squeeze unintended meanings out of words. Many have done so in connection with the power and authority of the Secretary of Defense. Statutory interpretation is not an esoteric pursuit reserved for word-splitters. It is not a game of words. It involves nothing more than a straightforward and direct effort to ascertain the intent of the

²⁷ Rockefeller Committee on Department of Defense Organization, *Report on the Rockefeller Committee on Department of Defense Organization*, 11 April 1953, 3.

²⁸ Rockefeller, 3.

²⁹ Rockefeller, 4.

lawmakers. With respect to the National Security Act, the congressional intent is clear and unmistakable. Nothing more is necessary.³⁰

The Committee acknowledged the debilitating affects of Service parochialism in providing “for the defense of the Nation as a whole,” yet perhaps optimistically stated:

The Joint Chiefs of Staff, although they are also the military chiefs of their Services, must rise above the particular views of their respective Services and provide the Secretary of Defense with advice which is based on the broadest conception of national interest. It should be explicitly acknowledged that the members of the Joint Chiefs of Staff, in the performance of their duties as such, must not be restricted by Service positions or instructions.³¹

Disagreeing with former Secretary Lovett’s recommendation, the Rockefeller Committee did not endorse granting the Chairman his own “vote” in JCS deliberations. While the Committee recognized the difficulties in the existing arrangement, it felt that the JCS were taking acceptable steps to improve the quality and timeliness of their counsel. The Committee did support increasing the Chairman’s authority over organizing the “subordinate structure” of the Joint Chiefs of Staff and the Joint Staff so as to increase unity of effort and operational efficiency.

The Committee agreed with former Secretary Lovett’s assessment of the need to amend the command structure of the Unified Commands as established in the Key West agreement of 1948. The Rockefeller Committee agreed that JCS appointment as executive agents was “undesirable” and should be amended to eliminate confusion in the lines of command. The Committee recommended that the Secretary of Defense, with the approval of the President, appoint one of the military Departments as “executive agent”

³⁰ U.S. Congress. Senate. Committee on Armed Services. *Report of the Rockefeller Committee on Department of Defense Organization*. Committee Print. 83rd Cong., 1st sess., (Washington: Government Printing Office, 1953).

for each of the Unified or Specified Commands. By eliminating the Service Chiefs from the operational chain of command, it was felt that civilian control over operational forces would be strengthened, while clarifying the chain of command.

Department of Defense Reorganization Plan No. 6

After reviewing the Lovett letter and the Rockefeller Committee report, on April 30, 1953 President Eisenhower submitted to Congress his recommendations for reorganizing the Department of Defense. Guiding President Eisenhower's plan was his desire "to place upon the Chairman of the Joint Chiefs of Staff greater responsibility for organizing and directing the subordinate structure of the Joint Chiefs of Staff in such a way as to help the Secretary of Defense and the Joint Chiefs of Staff discharge their total responsibilities."³² (See Appendix E)

Although subsequent actions by President Eisenhower revealed his strong desire to *truly* unify the Department and the Joint Chiefs of Staff, his recommendations in April 1953—coming with only 4 months tenure as President—were neither excessively controversial or far-reaching. To strengthen Secretary of Defense authority while improving operational effectiveness, Reorganization Plan No. 6 recommended:

- 1) All functions of the Munitions Board, the Research and Development Board, the Defense Supply Management Agency, and the Director of Installations are hereby transferred to the Secretary of Defense.

³¹ Rockefeller Committee on Department of Defense Organization, *Report on the Rockefeller Committee on Department of Defense Organization*, 11 April 1953.

³² Dwight D. Eisenhower, *Message to Congress*, 30 April 1953.

- 2) The selection of the Director of the Joint Staff by the Joint Chiefs of Staff , and their tenure, shall be subject to the approval of the Chairman of the Joint Chiefs of Staff;
- 3) The selection of the members of the Joint Staff by the Joint Chiefs of Staff, and their tenure, shall be subject to the approval of the Chairman of the Joint Chiefs of Staff.
- 4) The functions of the Joint Chiefs of Staff with respect to managing the Joint Staff and the Director thereof are hereby transferred to the Chairman of the Joint Chiefs of Staff. ³³

In addressing the chain of command over operational forces, President Eisenhower announced that the Secretary of Defense—with his approval—would soon issue a revision to the Key West Agreement. A new system would be put in place to strengthen civilian control by removing the JCS from the operational chain of command. In its place, the Secretary of Defense would designate a civilian Secretary of a military Department as executive agent to each Unified Command.

While not accepting all of the stronger recommendations proposed by former Secretary Lovett and the Rockefeller Committee, it is clear that President Eisenhower was focused on further consolidating power in the civilian support structure of the Secretary of Defense while empowering the Chairman of the Joint Chiefs of Staff. Once completed, President Eisenhower would move on to tackling the more divisive issues surrounding expansion of the Chairman’s authority and additional limits on the JCS.

Congress held hearings on Reorganization Plan No. 6 from 17 to 27 June, and taking no unfavorable action within 60 days, the plan became effective on 30 June 1953.³⁴ (See Appendix F).

³³ U.S. Congress. House of Representatives. Message from the President. *Reorganization Plan No. 6 of 1953*. H. Doc. 136. 83rd Cong., 1st sess., (Washington: Government Printing Office, 1953).

The progress made under the 1953 Defense Reorganization Act was of very limited scope. With President Eisenhower having been on the job for only four months, he was realistic in pursuing modest gains in his first reorganization attempt since assuming office. Seeking to increase his probability of success, Eisenhower had limited his plan to essentially reorganizing the internal machinery of the Joint Staff and its Director.

Of significance was the fact that the most notable changes made during 1953 were those implemented through internal DoD policy changes. Eisenhower directed the Secretary of Defense to issue a new policy memorandum removing the JCS from executive agent status for the Unified CINCs. In their place, the Secretaries of the military Departments were named to executive agent status. This modification of the “Key West Agreement” was significant not only for its affect on the operational chain of command, but also for setting a precedent for conducting reforms without legislative approval. This precedent would be more fully exploited during the 1960s when Robert McNamara internally reorganized the entire Department.

Bolstered by his early success and becoming more familiar with the political process necessary for garnering support, President Eisenhower immediately began the next sequence of change. This next iteration of reform was to be considerably more bold than his initial attempt and as President Eisenhower set out, he did so determined to complete operational reform within the Department.

³⁴ U.S. Congress. House of Representatives. Committee on Government Operations. Hearings on H.J. res. 264: *Reorganization Plan No. 6 of 1953* (Department of Defense). 83rd Cong., 1st sess., (Washington: Government Printing Office, 1953).

Rockefeller Brothers Special Study

In 1956, the Rockefeller Brothers Fund undertook a special studies project designed to explore the “problems and opportunities confronting the United States over the next 10-15 years.”³⁵ Recognizing that all studies of national security must include an assessment of the organization and methods of the Pentagon, the Rockefeller Study found “major defects” in the present organization that would be “further aggravated” with the passage of time. Identifying Service parochialism to be at the heart of these defects, the study made recommendations intended to reduce this tendency while strengthening and centralizing the Chairman and the Secretary of Defense’s control.

Addressing the role of Service parochialism and its effect on JCS strategic planning, the Rockefeller Study came to the conclusion that the JCS were *incapable* of putting their Service biases aside to prevent “a committee of partisan adversaries engaged in advancing Service strategic plans and compromising Service differences.”³⁶ To correct this inherent conflict, the study boldly advocated that the JCS be *completely* removed from the chain of operational command. This recommendation went much further than the 1953 Reorganization that removed the JCS from the operational chain of command to the Unified Commands. The Rockefeller Study wanted the JCS to be relieved of all their responsibilities for “strategic planning and combat operations” leaving them to concentrate on tasks of management and logistics.

³⁵ Rockefeller Brothers Fund, Panel Report II of the Special Studies Project: *International Security—The Military Aspect*, (New York, Rockefeller Brothers Fund, 1958), 1.

³⁶ Rockefeller, 42.

In the strategic planning void created by the JCS' departure, the study recommended that all U.S. operational military forces be organized into Unified Commands to perform strategic requirements. Although Unified Commands already existed, it was recognized that the Service Chiefs retained considerable influence and control over their forces assigned to the Unified Commands. To expand each Unified Commander's authority over assigned forces, the study envisioned that each "Unified Command would be, in effect, a combined force with its own mission and trained to carry out a distinctive task."

The study advocated strengthening the Chairman's authority by designating him the "principal military advisor" to the Secretary of Defense and the President. The Joint Chiefs of Staff would continue to exist as a body, but be limited to providing advice to the Chairman in the areas of logistics, training and procurement. The Chairman—in his expanded role—would control the Joint Staff reorganized on a unified basis.

To reduce Service parochialism at the highest levels, the study recommended that all officers above the rank of Brigadier General or equivalent, be transferred from their Services and appointed as an officer of the Armed Forces of the United States. Only by removing officers from the pressures of Service expectations could they provide joint recommendations that transcended Service boundaries.

Addressing the role of the Secretary of Defense, the study found that the Secretary's role had evolved in ways unintended by the original National Security Act. Instead of focusing on providing high policy on foreign and military affairs, the Secretary had become confined to the essentially negative functions of arbitration and control in refereeing disputes among the Joint Chiefs of Staff.

To correct problems with the operational chain of command, the study recommended additional changes to those made in 1953. The military Departments should be removed as executive agents for the Unified Commands and be replaced by the Chairman acting as the principal military advisor to the President. This proposal recognized the Secretary of Defense's role as the deputy Commander-in-Chief which would preserve civilian control over the armed forces. The Secretary of Defense was to receive direct authority over all research, development and procurement. He would gain the right to cancel and transfer Service programs and appropriations in the best interests of the Department as a whole.

President Eisenhower's Message to Congress--April 1958

Following action on the Hoover Commission Report on Business Organization, Secretary of Defense Neil H. McElroy chartered an internal study seeking additional improvements to the Department. After reviewing this study and the report by the Rockefeller Brothers Fund, President Eisenhower submitted a Message to Congress on 3 April 1958 detailing his recommendations to correct existing operational deficiencies.

As part of his preamble seeking congressional support for his recommended changes to the organization and functioning of the Department, President Eisenhower summed up his feelings in response to allegations that reform efforts placed the Department's efficacy at risk:

There have been allegations that our free institutions would be threatened by the influence of a military leader serving as the principal military advisor to the Defense Secretary and the Commander in Chief. There have been forecasts that one or more of the Services would be abolished. As a result, the Secretary of Defense has never been freed of excessive statutory restraints. As a result of well-meaning attempts to protect traditional concepts and prerogatives, we have

impaired civilian authority and denied ourselves a fully effective defense. We must cling no longer to statutory barriers that weaken executive action and civilian authority. We must free ourselves of emotional attachments to Service systems of an era that is no more.³⁷

President Eisenhower began his recommendations by stating that he would be responsible for organizing “our fighting forces into operational commands that are truly unified.” These forces would be in the Department of Defense but separate from the military Departments. The Unified Commanders would have “unquestioned authority” over all units of his command. This change would eliminate the existing arrangement where Unified Commands were made up of component Commands from each military Department, each under a commander of that Department.

Although the 1953 changes were intended to remove the Service Chiefs from the operational chain of command, President Eisenhower found the appointment of military Department Secretaries as executive agents ineffectual. It was found that in times of emergency, the Service Secretaries delegated their responsibilities for strategic direction and conduct of combat operations to their Service Chiefs. This created a situation where military Service Chiefs issued, in the name of the Secretary of Defense, orders to a Unified Commander. This “confusion of authority, and diffusion of responsibility” created conditions where “when military authority is unclear, civilian control is uncertain.”³⁸ Disregarding the Rockefeller Study recommendation calling for the

³⁷ U.S. Congress. House of Representatives. Communication from the President. Department of Defense Reorganization Bill of 1958. H. Doc. 371. 85th Cong., 2nd sess., (Washington Government Printing Office, 1958), 4.

³⁸ U.S. Congress. House of Representatives. Communication from the President. Department of Defense Reorganization Bill of 1958. H. Doc. 371. 85th Cong., 2nd sess., (Washington Government Printing Office, 1958), 7.

Chairman to be in charge of the Unified Commands, President Eisenhower requested of Congress the “repeal of any statutory authority which vests responsibilities for military operations in any official other than the Secretary of Defense.”³⁹

Acknowledging that “I consider the Joint Chiefs of Staff concept essentially sound,” President Eisenhower recommended additional measures to strengthen the Chairman by granting him the authority to: (See Appendix G).

- Assign duties to the Joint Staff;
- Increase the size of the Joint Staff;
- Appoint the Director of the Joint Staff; and
- Grant the Chairman a “vote”

Correspondingly, President Eisenhower recommended changes to limit the authority of the military Secretaries and the Joint Chiefs of Staff:

- Secretaries will be relieved of direct responsibility for military operations; and
- Imposition of limits on Service legislative liaison and public affairs activities.

To strengthen the authority of the Secretary of Defense, President Eisenhower sought:

- Establishment of a Director of Defense Research and Engineering (DDR&E) with the authority to supervise all Service R&E efforts and eliminate unpromising or duplicative programs;
- That Congress make appropriations direct to the Secretary of Defense for centralized expenditures;
- Seven new Assistant Secretaries of Defense of cabinet rank;

³⁹ U.S. Congress. House of Representatives. Communication from the President. Department of Defense Reorganization Bill of 1958. H. Doc. 371. 85th Cong., 2nd sess., (Washington Government Printing Office, 1958), 6.

- To Increase Secretary of Defense supervision over Service Congressional legislative liaison activities; and
- Implementation of Secretary of Defense approval (based on Chairman recommendation) of Service recommendations for promotion of officers beyond two star rank.

President Eisenhower's draft legislation was introduced to Congress on 16 April 1958 and on 6 August 1958 it became Public Law 85-599 (72 Stat. 514).⁴⁰ (See Appendix H). The resulting statutory changes brought about by the 1953 and 1958 reorganizations went far towards clarifying the operational chain of command that had proved to be problematic in the past.

By 1958, those responsible for defense policy had been working nearly continuously for 14 years to “get it right” regarding Defense Department reorganization. During this period, the 1947 National Security Act, augmented by the 1949, 1953, and 1958 amendments accomplished what they were intended to do—centralize strategic military leadership under civilian control, while clarifying the operational chain of command. (See Figure 2).

⁴⁰ Congress deliberated the 1958 Defense Reorganization Legislation in the House as resolution H.R. 11958 and in the Senate as S. 3649. Congress viewed the draft legislation favorably, but both the House and Senate objected to placing limitations on the rights of the Joint Chiefs of Staff to make recommendations directly to Congress. Both the House and Senate let stand the provision denying the Service Secretaries the same right to testify unless called. Minor differences between the House and Senate versions were resolved in conference, and on 24 July 1958 the legislation received final approval. President Eisenhower approved the new legislation on 6 August 1958.

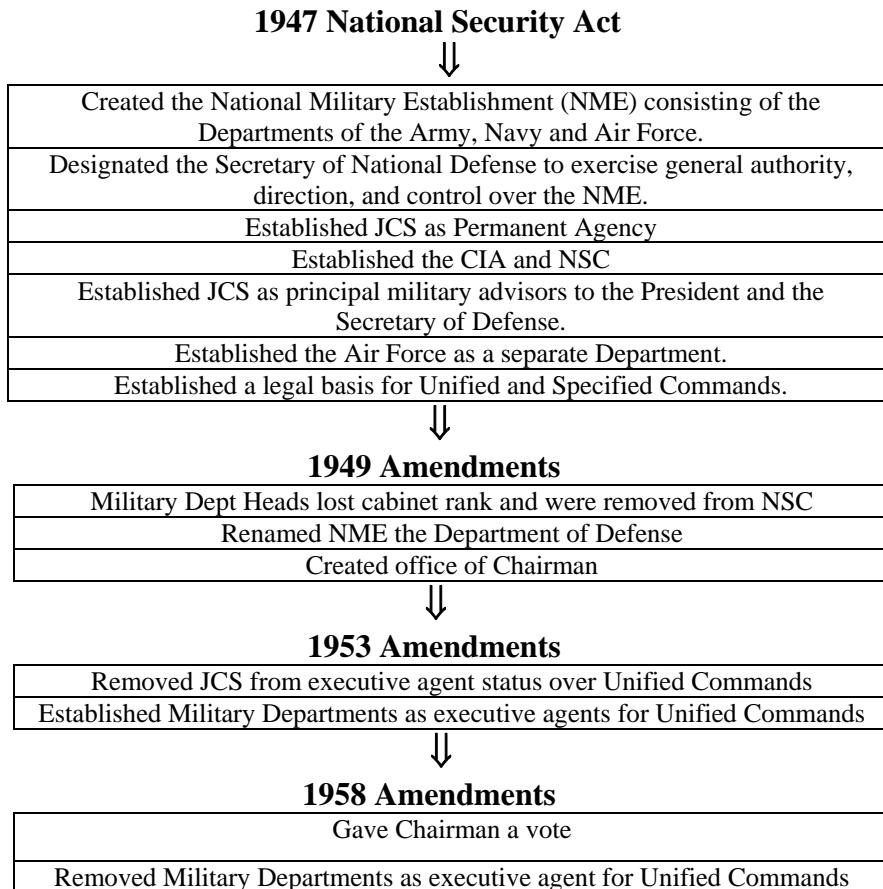


Figure 2. Key Legislative Changes made between 1947 and 1958

Passage of the 1958 amendments brought a temporary end to the institutional momentum for change within DoD. President Truman between 1945 and 1952, and President Eisenhower between 1953 and 1960 had each expended large amounts of political capital to push through their changes to the Department. By 1958, it seemed no one was happy—but most were satisfied—with the resulting Department of Defense. Those on one side felt that the authority of the Services, their Chiefs and the JCS had been cut too far. On the other side, those in favor of complete unification and centralization in the name of jointness felt that the legislative changes had not gone far enough.

As the Department entered the 1960's, Secretary of Defense Robert McNamara took the process of DoD reform in an entirely new direction. Reflecting the disdain that President's Kennedy and Johnson felt towards the JCS, McNamara set out to revise the Department in a manner in which he could dominate the JCS. Without pursuing legislative reform, McNamara implemented a series of internal reorganizations that combined with Kennedy's ad hoc security structure to effectively render the JCS inconsequential.

Chapter 5

Goldwater-Nichols Defense Reorganization Act of 1986

It was the only goddamn thing I've done in the Senate that's worth a damn.

—Senator Barry Goldwater
R-Az

As the country entered the period between the 1958 Reorganization Act and the 1986 Goldwater-Nichols Act, matters regarding the Soviet Union, Cuba, Vietnam, China, Watergate and Iran usurped Presidential energy to further reform DoD legislation. In essence, between 1958 and 1986, serious efforts to reform Department of Defense statutes took a thirty-one year hiatus. Within this period of legislative inactivity, reform continued to take place—via different venues of change. Each of these changes came about as a result of failures that occurred across the spectrum of national security functions.

The Bay of Pigs fiasco in 1961, under a newly elected President Kennedy, caused the credibility of JCS military advice to once again come under question. Although the Cuba invasion plan was conceived, planned and overseen by the CIA, Kennedy held the JCS largely responsible for the failure due to their tentative sanctioning of the plan. Lacking faith in the advice of the JCS, Kennedy began to employ new mechanisms to compensate for what he saw as a National Security System incapable of providing timely and accurate military council.

Foremost among the mechanisms that Kennedy used to his advantage was an empowered National Security Council built upon ad hoc relationships that effectively circumvented the traditional role of the JCS. Relying more heavily on the National Security Advisor and the Chairman of the Joint Chiefs of Staff, Kennedy initiated a decade of staff utilization characterized by the JCS being ostracized from the highest levels of military decision making.

Commensurate with the JCS being excluded from his inner circle of military influence, Kennedy's emphasis on the National Security Council also paved the way for a greater Secretary of Defense role in providing military advise. The decade of the 1960's saw the Secretary of Defense rise to an almost omnipotent level of power in determining the course of military policy. This period reflected the culmination of Executive power over the Legislative branch of government and also paved the way for the next major defense reorganization as a result of flawed policies developed during the Vietnam War.

As the failed policies of the Vietnam war gave way to new military failures and Department scandals, Congress began to reassert itself towards correcting the poor performance of the military establishment. This congressional momentum for change began in the 1970's and would ultimately result in the Defense Reorganization Act of 1986.

Congressional Change in Attitude

During the twenty-five years following the 1958 Amendments, Congress became increasingly convinced that bold legislative action was required to correct a still dysfunctional Department. The strategic failures of Vietnam; the operational disaster of the Iran Hostage rescue; the bombing of the Marine Barracks in Lebanon and the inability of the Services to effectively operate together at Grenada provided ample evidence that serious strategic and operational flaws still existed within the Department. On top of these embarrassments, the highly publicized acquisition scandals epitomized by the purchase of \$600 dollar toilet seats, mobilized Congress to take action.

What separated Goldwater-Nichols from previous reorganizations was the Congressional attitude that precipitated the new legislation. In the past, Congress had largely defended DoD from bold unification attempts initiated by the Executive branch of government. Presidents Truman and Eisenhower had advocated bold change throughout the 1940s and 1950s. The strong alliance that existed between the Services and Congress had prevented both Presidents from unilaterally imposing their desires for unification at the expense of Service autonomy. Following Grenada, Congressional frustration was so great, that *they* were moved to initiate change. No longer would legislation by compromise and protectionism be the model. By the mid 1980s, Congress was determined to reorganize the Department, and they were the ones who held the power to write the new laws.

The importance of the 1986 Defense Reorganization Act—commonly known as Goldwater-Nichols—cannot be overstated. The passage of Goldwater-Nichols marked both a completion and a beginning in the cycle of defense reorganization (See Figure 3). Beginning with the 1947 National Security Act, statutes had been legislated to correct three fundamental areas of dysfunction; strategic planning, operational control, and joint resourcing. As this study has highlighted, the 1949, 1953, and 1958 Amendments made significant progress in building the foundation of sound strategic planning and operational control. Yet, the failures of Vietnam, the abortive Iran

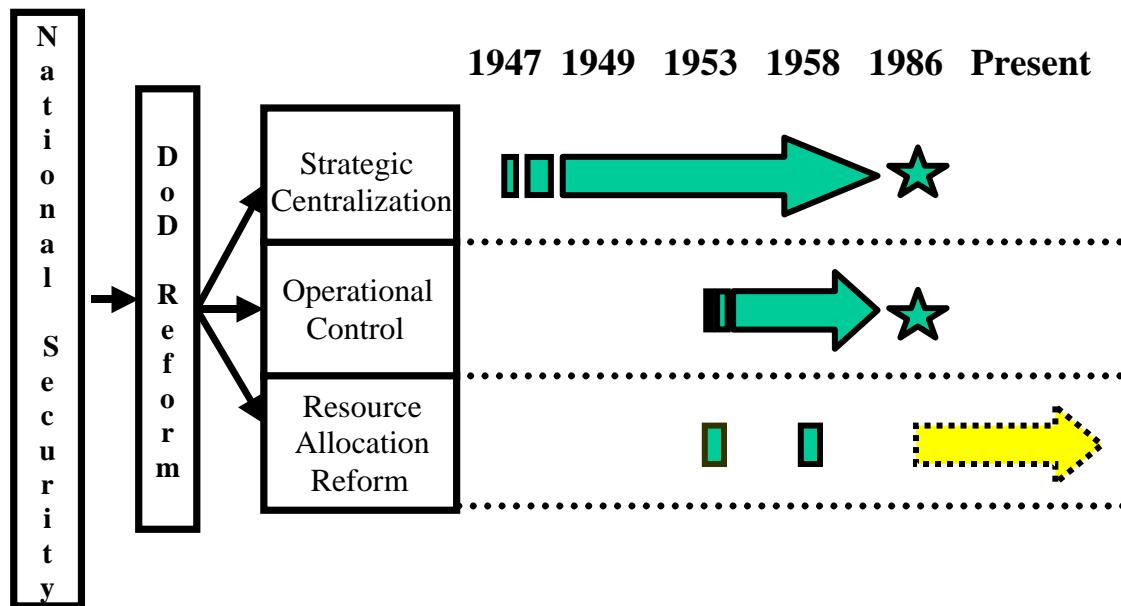


Figure 3. Reform timeline: Strategic and Operational Centralization

Hostage rescue, Lebanon, and Grenada made clear that the job was not yet done. Goldwater-Nichols effectively completed the strategic and operational cycle of legislative change.

Throughout earlier legislative changes, efforts to implement centralized Department resourcing under the Secretary of Defense had made progress. Congressional appropriations now went directly to the Secretary of Defense for centralized disbursement among the Services. What was missing from the resource allocation process was any significant involvement by the Chairman and the Unified CINCs. Service Chief authority over programmed funds still reigned absolute when measured against the Chairman's ability to influence resource allocation decisions. The Goldwater-Nichols legislation challenged and set out to change this longstanding—and once thought unassailable—paradigm. While Goldwater-Nichols set the stage for the Chairman's emergence as a full-fledged member of the resource allocation process, his entry into one of the last and most controversial bastions of Service Chief authority would not come about easily.

Proposals for Change in the 1980s

Following the abortive Iranian Hostage rescue attempt in 1980, demands to reform the JCS began to gain momentum. In the Spring of 1982, after reviewing earlier proposals for change, two members of the JCS—the Chairman, General David C. Jones, USAF, and the Army Chief of Staff, General Edward C. Meyer—spoke out in favor of reforming the JCS. Congressional critics as well as academia joined in the call for reform and a new reorganization debate was initiated.

General Jones entered the debate with considerable credibility as a critic of the JCS, having spent four years as Air Force Chief of Staff and four years as Chairman. Based on

this experience, General Jones recommended changes in three areas to alleviate the conflict he saw in the dual-hat responsibilities of the JCS members also serving as Service Chiefs:

- Strengthen the role of the Chairman by making him the principle military advisor to the President, the Secretary of Defense and the National Security Council. Authorize the creation of a Vice Chairman and make the Joint Staff responsible to the Chairman.
- Limit the Service staff involvement in the joint process by requiring the joint staff to support the JCS on joint matters and limit Service staffs in the joint process.
- Broaden the education, experience, and rewards for joint duty.⁴¹

General Meyer felt that General Jones' recommendations did not go far enough. He stated that there would continue to be divided loyalty as long as the Service Chiefs remained dual-hatted as both Service leaders and JCS members. Meyer went on to criticize the defense structure for being unable to rapidly transition to war and for insufficient involvement of the Unified and Specified Commands in the decision making process.

With General Jones' retirement in June 1982, his initiatives died and President Reagan chose General John W. Vessey Jr. as the new Chairman. Under General Vessey's leadership, the Joint Chiefs of Staff agreed that many of the proposals first offered by General Jones could be implemented without legislation. Working together, the Joint Chiefs of Staff took action to implement those proposals needed to strengthen the joint system.

⁴¹ Joint Chiefs of Staff, Historical Division, Joint Secretariat, *Organizational Development of the Joint Chiefs of Staff, 1942-1989*, (Washington, Joint Chiefs of Staff, 1989), 59-60.

To improve JCS continuity, General Vessey gained JCS concurrence to end the practice of rotating the position as acting Chairman —during periods of the Chairman's absence—between the Service Chiefs for one week intervals. In its place, each Service chief would be designated to serve as acting Chairman for a three-month period on a rotational basis. The JCS believed that this new procedure would make General Jones' recommendation to create the position of Vice Chairman unnecessary.⁴² Also among the JCS initiatives was the recommendation to place the Chairman directly in the chain of command. Congress rejected this proposal, and no progress was made along these lines until 1986.

Turning to the contentious issue of resource allocation, in 1984 the Joint Chiefs proposed a number of changes to improve budgetary and programmatic analysis. To strengthen the voice of the Unified and Specified CINCs, General Vessey assured them that they would have a greater voice in resourcing matters by involving them in the Defense Resource Board's (DRB) programming and budgeting activities.⁴³ Most importantly, the JCS created the Joint Requirements Management Board (JRMB) which opened a new chapter in the pursuit of efficient and effective joint resourcing.

⁴² Joint Chiefs of Staff, Joint History Office, *The Chairmanship of the Joint Chiefs of Staff*, (Washington, Government Printing Office, 1995) p. 28

⁴³ The Defense Resources Board was established in the early 1980s to try to integrate all of the various resource planning decisions at a single point. This was chaired by the Deputy Secretary of Defense and gave full participation to the Services with the Secretary of Defense. Source: Jacques S. Gansler, *Affording Defense*, (Massachusetts, The MIT Press, 1989), 98. Mr. Gansler (current USD, A&T) provides a perspective on the DRB which is enlightening. He, as well as many other OSD officials consider Secretary of the Navy participation to be synonymous with Service representation—something the Commandant of the Marine Corps would strongly disagree with.

Joint Requirements Management Board

Since the 1947 National Security Act, much effort had been made to correct the legislative flaws existing in regards to strategic and operational statutes of the Department of Defense. While much progress was made in these arenas, little progress was made in developing a joint resource allocation process. Since the earliest reorganization efforts, the problems associated with resource allocation statutes were recognized, but feebly addressed. As early as 1945, President Truman addressed this issue in his message to Congress calling for unification of the Department:

We should have integrated strategic plans and a unified military budget...We cannot have the sea, land, and air members of our defense team working on at what may turn out to be cross purposes, planning their programs on different assumptions as to the military establishment we need, and engaging in open competition for funds. Strategy, program, and budget are all aspects of the same basic decisions...Up to the present time, the makeup and balance of our Armed Forces have not been planned as a whole. Progress and budget requests from the Army and Navy have been formulated separately, on the basis of independent concepts of mission and function. These separate programs and budgets have not been considered together until after they have passed out of military hands and even out of the hands of the Secretaries of War and the Navy. The whole job of reconciling the divergent claims of the Departments has been thrust upon the President and the Congress.⁴⁴

Beginning with this early recognition of the problem, every subsequent President and Secretary of Defense echoed President Truman's condemnation of the divisiveness and counterproductive results of resource competition between the Services. Yet, even with thirty years of condemnation, little substantive progress had been made to correct the stovepiped resource allocation paradigm. Efforts by the President and the Secretary of

Defense to centralize resource allocation had been fought at every turn by the Services—with the support of Congress. With the Service Chief's authority in strategic planning and operational control being eroded with every legislative change to Title 10, the Service Chiefs quickly realized that their last bastion of influence lay in their resource allocation authority.

By 1984 the pressure for change initiated by General Jones was so great that the Service Chiefs finally accepted that something had to be done—even if it meant jeopardizing their monopoly on resourcing authority. Responding to long recognized inefficiencies in the Department's joint resource allocation process, on 20 March, 1984, the Joint Chiefs of Staff established the Joint Requirements and Management Board (JRMB) to monitor the development and acquisition of joint programs.

The board was chartered to evaluate potential joint military requirements: identify, evaluate, and select candidates for joint development and acquisition; oversee cross-Service requirements and management issues; and resolve Service differences arising after initiation of joint programs. The membership of the board consisted of the Service Vice Chiefs and the Director of the Joint Staff. Chairmanship was to rotate between the four Vice Chiefs with the Army Vice Chief of Staff designated as the first chairman for a term of one year.⁴⁵

Although the JRMB was a formative step in the evolution towards joint programming, it was a very significant step. Before the JRMB, the JCS had shown a steadfast

⁴⁴ Harry S. Truman, *Public Papers of the Presidents of the United States: Containing the Public Messages, Speeches, and Statements of the President, Jan 1 1945-Dec 31 1947, President Truman's Message to Congress-19 December 1945* (Washington: Government Printing Office, 1961), 546-60.

unwillingness to give an inch of resourcing ground in the name of jointness. This attitude had prevailed for over thirty years. But things were not going well for the Department in the early 1980s. The Department had failed—or was failing—in every conceivable area of national defense—strategic, operational, and resource management. Congress was now engaged in taking on some of the sacred cows once thought sacrosanct and DoD resource inefficiency was at the top of the list.

Hudson Institute Report

As momentum for change continued to build, independent research organizations and academics joined the fray and added their analytical support to an already complex process. Such was the case when in September 1984, the Hudson Institute—an independent research organization—released the report of its *Committee on Civilian-Military Relationships*. The report analyzed pending House Resolution 3718 (H.R. 3718-known as the Nichols Bill) calling for legislation to strengthen the authority of the Chairman and the Joint Staff. Key provisions of the bill included:

- a. Establishing the chain of command as running from the President to the Secretary of Defense, *through the CJCS* to the Combatant Commands.
- b. According the Chairman of the JCS the authority to supervise the CINCs and act as their “spokesman.”
- c. The Chairman would be accorded the right to provide military advice in his own right.
- d. Removal of any size restrictions on the Joint Staff.
- e. Providing the Chairman with management authority over the Joint Staff and its Director.

⁴⁵ Joint Chiefs of Staff, Historical Division, Joint Secretariat, *Organizational Development of the Joint Chiefs of Staff, 1942-1989*, (Washington, Joint Chiefs of Staff, 1989), 61.

f. Establishing the CJCS as a statutory member of the National Security Council.⁴⁶

The committee—whose members included a former Chairman of the Joint Staff, two former members of the JCS and a former Director of the Joint Staff⁴⁷—found that while minor organizational changes would be beneficial, the legislation as a whole had dangerous implications. The Committee report refuted many of the contentions made by General Jones and General Meyer regarding the inability of the JCS to provide timely and purposeful recommendations. Regarding General Jones' testimony before the House of Representatives, Committee members Holloway and Lemnitzer took issue with Jones' contention that much of the blame for the failures in Vietnam be placed at the JCS's doorstep. Vietnam, Jones had said:

Was perhaps our worst example of confused objectives and unclear responsibilities. The organizational arrangements were a nightmare; for example, each Service fought its own air war. Since that time we have been concerned with how to react more effectively to contingencies, but have not as yet devised a way to integrate our efforts to achieve maximum joint effectiveness without undue regard to Service doctrines, missions and command prerogatives.⁴⁸

The fact that a former Chairman—who happened to be an Air Force General —would use this example of multiple air forces as being a major dysfunction and contributing factor to the failures in Vietnam, was exactly the type of one-dimensional thinking that

⁴⁶ Committee on Civilian-Military Relationships, *An Analysis of Proposed Joint Chiefs of Staff Reorganization*, The Hudson Institute, (Indianapolis, Hudson Institute, 1984), 31-34.

⁴⁷ The seven primary members of the Committee on Civilian-Military Relationships included former CJCS—General Lyman Lemnitzer, USA (Ret), Former CNO—Admiral James Holloway III, USN (Ret), former CMC—General Louis Wilson, USMC (Ret), and former Director of the Joint Staff—General John W. Vogt, USAF (Ret).

⁴⁸ U.S. Senate, Committee on Armed Services; *Structure and Operating Procedures of the Joint Chiefs of Staff*. Hearings, 97th Cong., 2nd sess., December 16, 1982 (Washington, Government Printing Office, 1983).

the committee feared. Responding to General Jones' testimony, Admiral Holloway stated in his testimony:

The national military command system cannot be structured around the traits of any one individual. Quite the reverse, the system must be impervious to personalities. We must expect the successive Chairmen of the JCS will be of substantially different backgrounds...The national military command system must be designed to not only just accommodate these differences, but to exploit these varying backgrounds to strengthen the quality of top military judgements.⁴⁹

Former CJCS, General Lemnitzer, also testified in direct contrast to General Jones' contentions:

The arguments in this direction stem mainly from the criticism that when the Joint Chiefs of Staff do not unanimously agree on an issue, they have abandoned their responsibilities to the Secretary of Defense where the issue must go for final decision...I do not agree with this viewpoint...Where there are disagreements—which admittedly, often involve fundamental problems—the Joint Chiefs of Staff are providing an essential service to the Secretary of Defense and the President. In such cases, alternate proposals are prepared. The advantages and disadvantages of each course of action are fully documented by military officers of the Services and Joint Staff before being presented personally by the Joint Chiefs of Staff to the Secretary of Defense and the President.⁵⁰

Within the Committee's report, Admiral Holloway's feelings concerning criticism of JCS performance was summarized in a statement that cut to the essence of the disagreement:

All of this, in my opinion, is a euphemistic way of saying that when the JCS do not provide the desired answer they are providing bad advice. Having dismissed the JCS with this charge, the Administration, or Congress, or the media, or the public shop around and find their own military experts who will say what they want to hear.⁵¹

⁴⁹ U.S. Senate, Committee on Armed Services; *Structure and Operating Procedures of the Joint Chiefs of Staff*. Hearings, 97th Cong., 2nd sess., December 16, 1982 (Washington, Government Printing Office, 1983).

⁵⁰ Ibid

⁵¹ Committee on Civilian-Military Relationships, *An Analysis of Proposed Joint Chiefs of Staff Reorganization*, The Hudson Institute, (Indianapolis, Hudson Institute, 1984), 25.

The Hudson Institute's report went on to provide anecdotal evidence to refute many of the contentions made by Generals Jones and Meyer. The fact that three of the Committee members were former members of the JCS had both a positive and negative affect on the credibility of the report. Admiral Holloway and General Wilson were easily dismissed by some as defending a corrupt system of which they had been a part. More problematic for reformists however, was discounting the position of General Lemnitzer—a former Chairman of the Joint Chiefs of Staff, and General Vogt—a former Director of the Joint Staff. As influential as General Jones' testimony had been, General Lemnitzer's testimony should have held equal sway. The difference was that in General Jones and Meyer, Congress had found the “military experts who will say what they want to hear.”

Despite the Committee's unanimous opposition to H.R. 3718, reform legislation continued to move forward. In its Conclusions and Recommendations, the Committee provided sage warning on what might be in store:

Proposals before Congress in 1984 (particularly H.R. 3718) purport to chart a “moderate” course of reform, but in fact they represent an unalloyed prescription for the establishment of a National General Staff and a single armed forces chief of staff. The critical point is that some specific amendments appear by themselves to be discreet and even innocuous, but taken together they form a threatening mosaic. Despite its claim to reform an allegedly outmoded JCS system, H.R. 3718 in fact reflected a regressive effort to reinstitute an organizational philosophy explicitly rejected in the creation of the JCS concept of corporate advice and planning.⁵² “In enacting this legislation it is the intent of Congress to provide a comprehensive program for the future of the United States...to provide for the unified strategic direction of the combatant forces, for their operation under unified control and for their integration into an efficient team of land, naval, and air forces, but *not to establish a single chief of staff over the armed forces nor an overall armed forces general staff.*”⁵³

⁵² Committee on Civilian-Military Relationships, *An Analysis of Proposed Joint Chiefs of Staff Reorganization*, The Hudson Institute, (Indianapolis, Hudson Institute, 1984), 37.

⁵³ Committee on Civilian-Military Relationships, *An Analysis of Proposed Joint Chiefs of Staff Reorganization*, The Hudson Institute, (Indianapolis, Hudson Institute, 1984), 38.

Defense Organization-The Need for Change

During the spring of 1985, the House Armed Services Committee considered steps necessary to strengthen the authority of the Chairman. Foremost was consideration of a bill that would make the Chairman—not the corporate JCS—the principle military advisor to the President, Secretary of Defense, and the National Security Council; place the Chairman in the operational chain of command; have the Joint Staff work solely for the Chairman; and provide a deputy chairman.⁵⁴

As momentum for change continued to build in the Congress, President Reagan took steps to preempt anticipated embarrassing Congressional criticism of his largest and most powerful Executive department. In June 1985, President Reagan established his own Blue Ribbon Commission on defense management to “study the issues surrounding defense management and organization, and report its findings and recommendations.”⁵⁵ Hoping to beat Congress “to the punch,” the objectives the President listed for the commission included review of JCS responsibilities. President Reagan named former Secretary of Defense, David Packard, to head the commission.⁵⁶

While President Reagan’s Blue Ribbon Commission was getting underway, the Senate Armed Services Committee (SASC) released a Staff Study titled *Defense Organization: The Need for Change* in October 1985. This report was the product of over two years of bi-partisan research that had been started by Senator John Tower (R-TX) and the late

⁵⁴ Joint Chiefs of Staff, Joint History Office, *The Chairmanship of the Joint Chiefs of Staff*, (Washington, Government Printing Office, 1995), 29.

⁵⁵ President’s Blue Ribbon Commission on Defense Management, *Final Report to the President: A Quest for Excellence* (Washington, Government Printing Office, 1986), xi .

⁵⁶ Joint Chiefs of Staff, Joint History Office, *The Chairmanship of the Joint Chiefs of Staff*, (Washington, Government Printing Office, 1995), 29.

Senator Henry “Scoop” Jackson (D-WA), while they were serving as the Chairman and ranking minority Member of the Senate Committee on Armed Services. Listing 91 specific recommendations for change, the study provided a thoroughly comprehensive and critical assessment of the problems associated with the Joint Chiefs of Staff. Bold in its recommendations, the report went so far as to call for the complete abolishment of the JCS body. It recommended the JCS be replaced by a joint military advisory council composed of a chairman and a four-star officer from each Service. These officers would be on their final tours before retirement and would have no Service-specific duties, thus enabling them to completely focus on providing the best possible military advise to the President, Secretary of Defense, and the National Security Council.

In the Senate study, the authors provided great insight into the underlying dynamics that were at competition within the Department of Defense. In the realm of strategic effectiveness, the study criticized the three principal Washington Headquarters of DoD—OSD, JCS and the military Departments for being excessively organized along functional areas. Pointing out that the real goal of the Department should be “mission integration,” the study criticized past efforts to unify or centralize the Department. Additionally, the report identified the power and authority of the Secretary of Defense as being insufficient to properly discharge his duties. The problem was not a statutory one, but lay in:

The Secretary of Defense is confronted by powerful institutional forces that undermine his authority and offer him little help in carrying out his vast responsibilities...Strengthening the power and influence of the Secretary of Defense does not mean increased centralization. Only when bureaucratic

constraints and obstacles are removed will he be able to decentralize without losing control.⁵⁷

Elaborating on the problem of Service loyalties, the study provided insight into the ramifications of Service parochialism that remain relevant today:

Under current arrangements, the military Departments and Services exercise power and influence which are completely out of proportion to their statutory assigned duties...Correcting the imbalance between Service and joint interests will require the strengthening of the authority, stature, and support of joint organizations, primarily the Organization of the Joint Chiefs of Staff (or its succeeding organization) and the Unified Commands. While these realignments are critically needed, they will not, by themselves, be sufficient to correct the imbalance between Service and Joint interests. The problem is more deep-seated; it involves the basic attitudes and orientations of the professional officer corps. *As long as the vast majority of military officers at all levels gives highest priority to the interests of their Service or branch while losing sight of the broader and more important national security needs—and believes that their behavior is correct—the predominance of Service influence will remain a problem.*⁵⁸

In order to get the diverse elements of the Department working together meant treating the cause, not the effect. If parochialism was the disease to be eradicated, then the cause of such parochialism must be isolated and treated.

Returning to the very familiar topic of the JCS' ability to provide useful and timely unified military advice, the report quoted General David C. Jones' comments on the topic: "The corporate advice provided by the Joint Chiefs of Staff is not crisp, timely, very useful or very influential."⁵⁹ Former Secretary of Defense James R. Schlesinger

⁵⁷ Senate Committee on Armed Services, *Defense Organization: The Need For Change*, Staff Report 99-86, 99th Cong., 1st sess., 16 Oct 1985 (Washington, Government Printing Office, 1985), 10.

⁵⁸ SASC, 3-4.

⁵⁹ SASC, 5.

added his thoughts on the subject: “The proffered advice is generally irrelevant, normally unread, and almost always disregarded.”⁶⁰

The report stated that the inadequate joint military advice manifested itself throughout many activities within DoD to include the Planning, Programming, and Budgeting System (PPBS), operational planning, force employment, roles and missions of the Services, revision of the Unified Command Plan (UCP), organization of the Unified Commands, and development of joint doctrine.⁶¹

Turning to operational matters, a link was made between the resource allocation process and operational effectiveness. The study acknowledged that an imbalance existed between Service and joint programming interests, and proposed taking actions to remedy the mismatch between current readiness and long-term modernization: “Correcting this modernization-readiness imbalance will require a strengthening of the representation of the operational commanders, especially the Unified Commanders, in the resource allocation process.”⁶² The report went on to attack the predominance of the Planning, Programming and Budgeting System for consuming too much of the strategic leadership’s time. This situation prevented the Department’s senior leadership from giving sufficient time to strategic planning, operational matters, and execution of resource decisions.

Among the 645 page Senate study, ninety-one recommendations were made, with the most significant highlighted for special attention:

⁶⁰ Senate Committee on Armed Services, *Defense Organization: The Need For Change*, Staff Report 99-86, 99th Cong., 1st sess., 16 Oct 1985 (Washington, Government Printing Office, 1985), 5.

⁶¹ SASC, 5.

⁶² SASC, 5.

- Disestablish the Joint Chiefs of Staff and, thereby, permit the Service Chiefs to dedicate all their time to Service duties.
- Establish a Joint Military Advisory Council consisting of a Chairman and a four-star military officer from each Service on his last tour of duty to serve as the principal military advisors to the President, the National Security Council, and the Secretary of Defense.
- Authorize the Chairman of the Joint Military Advisory Council to provide military advice in his own right.
- Designate one of the members of the Joint Military Advisory Council, from a different Service pair (Army/Air Force and Navy/Marine Corps) than the Chairman, as Deputy Chairman.
- Authorize the Chairman of the Joint Military Advisory Council to develop and administer a personnel management system for all military officers assigned to joint duty.
- Establish in each Service a joint duty career specialty.
- Make the Chairman of the Joint Military Advisory Council (JMAC) the principal military advisor to the Secretary of Defense on operational matters.
- Remove the Service Component Commanders within the Unified Commands from the operational chain of command.⁶³

Prior to general distribution of the Senate report, the Chairman of the Senate Armed Services Committee (SASC), Senator Barry Goldwater (R-NV), and its ranking minority member, Senator Sam Nunn (D-GA) took action to garner support for the recommendations of the report. Familiar with the long legacy of defense reform initiatives that had died a political death, the two Senators—in an act of bi-partisan cooperation—took to the floor of the Senate to discuss the report. In a series of six speeches between 1 - 8 October 1985, both Senators Goldwater and Nunn appealed for adoption of the report's recommendations. Each day their remarks addressed a different area of concern over how DoD and Congress managed—or failed to manage—the nation's security apparatus. Together, Senators Goldwater and Nunn described to the

⁶³ Senate Committee on Armed Services, *Defense Organization: The Need For Change*, Staff Report 99-86, 99th Cong., 1st sess., 16 Oct 1985 (Washington, Government Printing Office, 1985), 11.

Senate the failings of DoD and what *had* to be done to ensure the nation's security, as detailed in the soon-to-be released report.

During Senators Goldwater and Nunn's remarks to the Senate, they both honed in on the by-now well documented charges that the JCS were unable to provide sound military advice to the NCA and the NSC. They additionally addressed the continuing problems within the operational chain of command, and the associated budgetary problems that failed to responsively support either the strategic or operational needs of the Department.

During Senator Goldwater's remarks on 3 October he summarized the crux of the problems as he saw them:

All these factors combine to create serious problems that plague us to this day, including: The inability of the JCS to provide useful and timely military advice; the poor performance in joint operations; the inadequate quality of the staff of the Organization of the Joint Chiefs; the confused command lines; and the lack of adequate advocates for joint interests in budgetary matters.⁶⁴

What was unique in Senators Goldwater and Nunn's comments was the identification of budgetary problems as being at the root of many of the Department's problems.

Senator Goldwater went farther in addressing budgetary problems by stating that the real problem lay in the Planning, Programming, and Budgeting System (PPBS) that "has elevated financial issues to a preeminent position in the day-to-day activity of DoD."

Stating that the PPBS had evolved to the point that budget policy was driving defense policy, Goldwater charged that "the Congress' preoccupation with annual budgets shifted

⁶⁴ Barry Goldwater comments to the Senate on 3 October 1985. Reprinted in Armed Forces Journal Extra, October 1985, p. 17.

the emphasis in the DoD management system away from long-range planning to short-term budgeting.”⁶⁵

Undoubtedly influenced by the Senate report and the Goldwater/Nunn speeches, in November 1985, the House of Representatives passed the JCS reorganization bill that its Armed Services Committee had considered the previous spring. Following this, the Senate began hearings to consider the ramifications of its recently released report. Pressure for JCS reform continued to mount. As Congress continued its hearings into 1986, President Reagan’s Blue Ribbon Commission rushed to release its findings.

Packard Commission

In July 1985, President Reagan’s Blue Ribbon Commission had begun its own reform efforts under the Chairmanship of David Packard. Commonly known as the Packard Commission, the committee was charged with conducting a defense management study to address:

The budget process, the procurement system, legislative oversight, and the organizational and operational arrangements, both formal and informal, among the Office of the Secretary of Defense, the Organization of the Joint Chiefs of Staff, the Unified and Specified Command systems, the military Departments, and Congress.⁶⁶

When the Packard Commission released its final report titled *A Quest for Excellence*, in June 1986, at first glance it appeared that the Commission had organized its study along lines similar to the evolution of DoD management reform efforts:

⁶⁵ Barry Goldwater comments to the Senate on 3 October 1985. Reprinted in Armed Forces Journal Extra, October 1985, p. 29.

- Chapter One: National Security Planning and Budgeting
- Chapter Two: Military Organization and Command
- Chapter Three: Acquisition Organization and Procedures

Upon closer review, the Commission’s report was distinguished by its determination that resource allocation and budgeting procedures were a root cause of—and inseparable from—the many difficulties that existed at the strategic and operational levels of the national security system.

In the past, the emphasis of defense reorganization had largely focused on clarifying the distribution of authority and responsibilities throughout the Department’s senior leadership. While the progress that had been achieved to date was substantial, the Blue Ribbon Commission recognized that progress would be inherently limited until reform efforts integrated resource allocation policies with strategic and operational goals.

In conjunction with the SASC report, the Packard Commission report provided a comprehensive analysis of the limitations plaguing the Department. While the SASC report addressed specific resource allocation issues, its focus was heavily weighted towards correcting organizational problems at the strategic and operational levels. Where the SASC report came up short, the Blue Ribbon Commission report provided the resource allocation piece of the solution.

⁶⁶ Executive Order 12526, July 15, 1985 as reprinted in the President’s Blue Ribbon Commission on Defense Management, *A Quest For Excellence, Final Report to the President*, (Washington, Government Printing Office, 1986) p.1

The Blue Ribbon Commission released an *Interim Report* in February 1985 and the final report reflected satisfaction that action was being taken on many of *the Interim Report's* recommendations. On April 24, 1986, President Reagan sent a special message to Congress requesting early enactment of many of the *Interim Report's* recommendations. This included statutory designation of the Chairman as the principal military advisor to the President, Secretary of Defense and the National Security Council (See Figure 4); provision for the Chairman's exclusive control over the Joint Staff and the organization of the Joint Chiefs of Staff, and creation of the new position of Under Secretary of Defense for Acquisition. The President also asked Congress to simplify and consolidate procurement laws, develop procedures for authorizing and appropriating defense budgets on a biennial basis, encourage the use of multiyear procurement, and support milestones funding for major weapon systems.⁶⁷

⁶⁷ President's Blue Ribbon Commission on Defense Management, *A Quest For Excellence, Final Report to the President*, (Washington, Government Printing Office, 1986), 4.

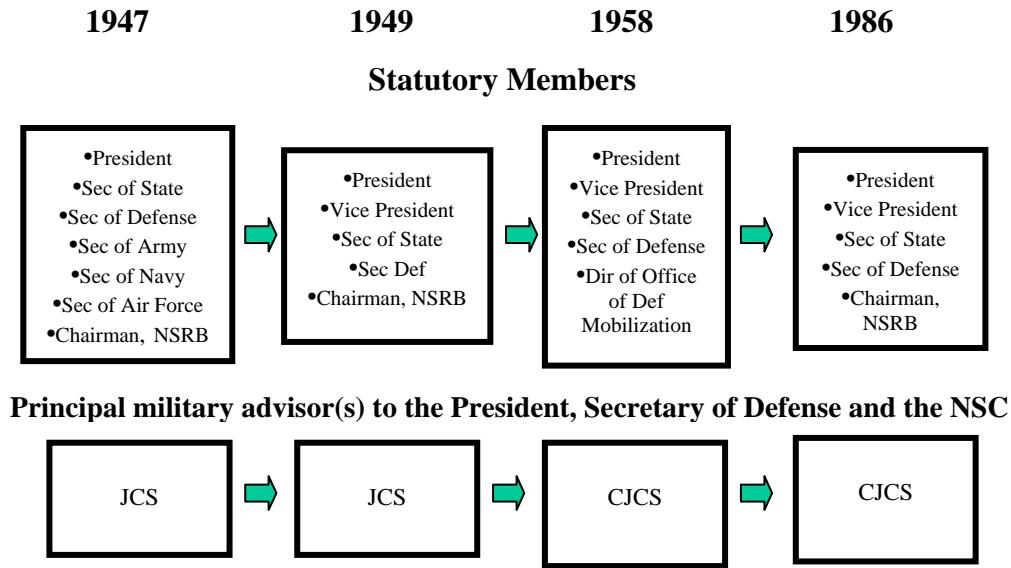


Figure 4. Evolution of National Security Council⁶⁸

As Figure 4 depicts, legislation in 1986 completed the Chairman's rise to prominence within the National Security Council. Although the Military Department Secretaries and the JCS had originally filled this role, the 1949 removal of the military Department Secretaries as permanent members of the NSC began the gradual decline in military Department strategic influence. Following the Secretaries' removal, the JCS maintained their role as principal military advisors to the President, Secretary of Defense and National Security Council until 1958. In 1958 the Chairman began attending and participating in NSC meetings and in 1986 his role as principal military advisor to the President, Secretary of Defense and National Security Council was legislated by law.

The Packard Commission's final report reflected satisfaction that both the House and Senate had passed legislation—awaiting conference approval—that achieved many of the provisions of the *Interim Report*. This included expanding the role and authority of the Chairman of the Joint Chiefs of Staff, establishing a Vice Chairman, and clarifying the authority of the Unified CINCs.

While it appeared that chapters one through three of the final report sequentially addressed strategic, operational and resourcing matters, the report itself made clear that resource policy could not be separated from strategy and operational matters. It recommended that:

The Chairman, with the advice of the other members of the JCS and the Commanders-in-Chief (CINCs) of the Combatant Commands, be given responsibility for preparing and submitting to the Secretary of Defense a fiscally constrained national military strategy, with strategy options, based on the President's initial guidance on national security objectives and priorities, and his provisional five-year budget levels.⁶⁹

This finding, when taken together with the emphasis on budget matters contained within the Senate Report: *Defense Organization: A Need for Change* left little doubt that a new phase in defense reorganization was emerging. It had taken over thirty years to overcome the institutional obstacles hindering strategic and operational unification, but closure on these issues was at hand. The Defense Reorganization Act of 1986 was just around the corner, and while it would rectify many strategic and operational problems, it

⁶⁸ White House Home Page, *History of the National Security Council, 1947-1997*, <http://www2.whitehouse.gov/WH/EOP/NSC/html/NSChistory.html#Summary>

⁶⁹ President's Blue Ribbon Commission on Defense Management, *A Quest For Excellence, Final Report to the President*, (Washington, Government Printing Office, 1986), 15.

marked only the beginning of a new struggle to “fix” a broken system of programming and budgeting.

Goldwater-Nichols Act

By the late summer of 1986, Congress was ready to act. Led by Senator Barry Goldwater and Representative Bill Nichols, President Reagan signed the Defense Reorganization Act of 1986. This Act was the culmination of legislative reform efforts that began with General Jones speaking out in 1982. The bill —subsequently redesignated the Goldwater-Nichols Act to honor the men most responsible for its passage—was the first major reorganization since 1958 and the *most significant* reorganization since the original National Security Act in 1947.

Incorporating many of the proposals that had been heatedly debated for the previous four and a half years, the 1986 act greatly increased the authority of the Chairman of the Joint Chiefs of Staff. Expectedly—in a zero-sum-game of power—the military Service Chiefs were correspondingly weakened. To many, the changes brought about by Goldwater-Nichols were seen as long overdue—to others, the act was the manifestation of their worst fears. Highlights of the act included:

- 1) Designating the Chairman as the Principal Military Advisor to the President, Secretary of Defense and the National Security Council. (See Figure 4).
- 2) Transferring functions of corporate JCS to the Chairman and added new responsibilities:
 - Assisting the President and the Secretary of Defense in the strategic direction of the armed forces;

- Preparing strategic and logistics plans and net assessments;
- Providing for the preparation and review of contingency plans;
- Advising the Secretary of Defense on requirements, programs and budgets;
- Developing joint doctrine for joint employment of the armed forces;
- Formulating and coordinating policies for the training and education of the armed forces;
- Providing U.S. representation on the UN Military Staff Committee;
- Performing such other duties prescribed by law or by the President and the Secretary of Defense.

3) Creating the position of Vice Chairman.

4) Specifying that the chain of command ran from the President to the Secretary of Defense to the Unified and Specified Combatant Commanders.

5) Placing the Joint Staff and its Director under the Chairman and gave the Chairman the authority to select or suspend any member of the Joint Staff.

6) Raising the limit on the size of the Joint Staff from 400 to 1,627.⁷⁰

For all intents and purposes, the Goldwater-Nichols Act completed the cycle of DoD strategic and operational reform begun in 1949 that had lasted throughout the latter half of this century (See Appendix I). While Goldwater-Nichols marked the end of this century's strategic and operational reform, it also ushered in a new cycle of joint resource allocation reform. Unknown at the time, the acquisition reforms legislated by Goldwater-Nichols were but the initial steps in a larger cycle of resource allocation reform that continues today.

⁷⁰ U.S. Congress. Public Law 99-433: *Goldwater-Nichols Department of Defense Reorganization Act of 1986*, 99th Cong., 2d sess., (Washington, Government Printing Office, 1986).

Chapter 6

Resource Allocation Reform-The Ongoing Revolution

To a degree not paralleled in any other field, in defense, dollars are policy.

—Bernard Gordon
Nov 1961

By 1987, almost forty years of controversial and contentious reform efforts had elapsed since the original National Security Act created the National Military Establishment. Yet, however difficult it had been to reform a gargantuan bureaucracy unreceptive to change, significant progress had been made within the strategic and operational processes of the Department. Prior to Goldwater-Nichols, resource allocation reform had not maintained the rate of progress realized by strategic and operational reform efforts. One of the main reasons for this was the fact that the functional area of resource allocation was never seriously challenged by reformers. Although inefficiencies were often highlighted, those within OSD generally accepted these flaws as the “the price of doing business.”

With U.S.C. Title 10 language supporting Service Chief efforts to “organize, train and equip” their forces, any assault on Service Chief funding authority was fraught with risk. It was widely believed that such an assault would surely result in another “revolt of the Admirals”⁷¹ rebellion. Lacking congressional support for resource allocation reform, this issue was among the first to be dropped from many reformer’s agenda. This tactic was often used as a leveraging device to gain Service Chief concession in other areas. While many strategic and operational reforms between 1949 and 1958 were distasteful to the Service Chiefs, they often acquiesced with the acceptance that their resourcing authority remained intact. As Bernard Gordon makes clear in his observation, he who controls the money will ultimately control policy. Although resource allocation reforms were often included within each reform debate, the Service Chief’s legal authority in resource allocation matters escaped serious reform efforts.

While it appears inconceivable that any master plan ever existed for unifying the management processes within DoD in a sequential fashion, incremental reforms did follow a logical and effective sequence. Strategic DoD reforms were gained by making operational concessions to the Services. Operational reforms were later made by acknowledging Service resourcing sanctity.

⁷¹ The “Revolt of the Admirals” occurred in 1949 when Chief of Naval Operations Louis Denfield supported Secretary of Defense Louis Johnson’s decision to cancel the Navy’s \$500 Million, 65,000 ton, flush deck supercarrier, the *United States*, and transfer the funds to the Air Force. Many senior Navy officers were outraged by the decision and lost confidence in Denfield. Amid a storm of controversy to include a House Armed Services Committee investigation, CNO Denfield resigned and an unofficial precedent was established for what was seen as the consequences for meddling in Service Chief funding authority.

As each reform effort brought increased efficiency to the Department, reformers continually sought the next area of inefficiency to be tackled. Where early executive-led reform efforts had lacked the political will and Congressional support to challenge Service Chief resourcing authority, Goldwater-Nichols opened a new chapter of reform that has increasingly placed Service Chief resource authority at risk.

Goldwater-Nichols opened the doors to resource allocation reforms by challenging the Service Chiefs along the same lines that previous strategic and operational reforms had been justified. Just as early strategic and operational processes were found to be duplicative, counter-productive and parochially motivated, the same could be said for the way in which the Service Chiefs obligated their resources. Goldwater-Nichols began the process of centralizing resource allocation authority by legislatively expanding the role of the Chairman of the Joint Chiefs of Staff.

The Rise of the Chairman

Key to resource allocation reform has been the empowerment of the Chairman of the Joint Chiefs of Staff. In a zero-sum-game of resourcing authority, the Chairman's rise has been accompanied by a corresponding degradation of Service Chief resourcing authority. While the Service Chiefs continue to maintain the predominate level of resourcing power, the Chairman's emergence in resourcing matters has broken the once omnipotent resourcing authority of the Service Chiefs.

Perhaps nothing reveals the extent of the Chairman's rise in the resource allocation process more than his membership on the Defense Resources Board (DRB)—which oversees the entire Planning, Programming, and Budgeting System process. Together with the Defense

Acquisition Board (DAB) the two boards comprise the highest resource allocation boards within the Department of Defense. This expansion of the Chairman’s authority has led the Service Chiefs to charge the Chairman with usurping Service Chief U.S.C. Title 10 authority to “Recruit, train and equip...” their forces. Whereas this charge once held merit, beginning with Goldwater-Nichols, the Chairman gained his own level of U.S.C. Title 10 authority empowering him in resource allocation matters. Often overlooked, the Chairman’s increase in resourcing responsibility and authority represents a sea-change in the Department’s resource allocation process. As the Chairman continues to exercise and expand his joint resourcing responsibilities, an inevitable confrontation with the JCS looms in the future over the last bastion of JCS primacy—resource allocation authority.

Chairman’s Title 10 Authority

Since the position of Chairman was first created in 1949, his U.S.C. Title 10 authority had been essentially limited to three primary functions:

- Preside over the JCS;
- Provide agenda for meetings of the JCS; and
- Inform the President and Secretary on matters in which the JCS agree.⁷²

While the Chairman has incrementally established near-complete control over the Joint Staff and its director, his role in resource allocation matters had been almost nonexistent prior to Goldwater-Nichols. Passage of that law modified U.S.C Title 10 and created new and expansive resource allocation responsibilities for the Chairman to discharge:

⁷² United States Code, 81st Congress, 1st session 1949 convened January 3, 1949, Adjourned October 19, 1949, Volume 1, Laws-Tables-Index (Brooklyn, N.Y. Edward Thompson Publishing Co, 1949).

(3) ADVICE ON REQUIREMENTS, PROGRAMS, AND BUDGET.—

- (A) Advising the Secretary, under section 163(b)(2) of this title, on the priorities of the requirements identified by the commanders of the Unified and Specified Combatant Commanders;
- (B) Advising the Secretary on the extent to which program recommendations and budget proposals of the military Departments and other components of the Department of Defense for a fiscal year conform with the priorities established for the requirements of the Unified and Specified Combatant Commands.
- (C) Submitting to the Secretary alternative program recommendations and budget proposals, within projected resource levels and guidance provided by the Secretary, in order to achieve greater conformance with the priorities referred to in clause (B).
- (D) Recommending to the Secretary, in accordance with section 166 of this title, a budget proposal for activities of each Unified and Specified Combatant Command.
- (E) Advising the Secretary on the extent to which major programs and policies of the armed forces in the area of manpower conform with strategic plans.
- (F) Assessing military requirements for defense acquisition programs. ⁷³

Figure 5. U.S.C. Title 10, 1988

The new responsibilities listed in Figure 5 effectively made the Chairman a full-fledged member of the resource allocation process. Although the Chairman still lacked other than minimal resourcing authority—and almost no procurement obligation authority—the Chairman now had influence over the Services' resource allocation decisions. These new responsibilities

⁷³ USC Title 10, 1988, Section 153, Chairman Functions

would have been almost meaningless if the Chairman did not have a charter by which to guide his actions. Such a charter was provided by the very next section of the revised U.S.C Title 10:

(4) DOCTRINE, TRAINING, AND EDUCATION.—

- (A) Developing doctrine for joint employment of the armed forces.
- (B) Formulating policies for the joint training of the armed forces.
- (C) Formulating policies for coordinating the military education and training of members of the armed forces.⁷⁴

Figure 6. U.S.C. Title 10, 1988

Together, these two new sections of U.S.C Title 10 gave the Chairman what he needed to impose his resourcing influence upon the Services—the ways and means to recommend adjustments to Service programs in the name of advancing jointness. Armed with the legislative mandates he lacked in the past, the Chairman has exercised his statutory resourcing influence through a number of newly established mechanisms.

Joint Resourcing Tools

Responding to new mandates to provide recommendations for prioritizing and adjusting Service program initiatives, the Chairman has exercised his increased authority through a number of new procedures and outputs designed to assess and adjust how the Department's money is being obligated. Foremost among these processes are the *Joint Vision 2010 Implementation Process*, the *Joint Requirements Oversight Council* (JROC),

⁷⁴ USC Title 10, 1988, Section 153, Chairman Functions

the *Chairman's Program Recommendations* (CPR), the Unified CINC's *Integrated Priority Lists* (IPL) and the *Chairman's Program Assessment* (CPA). (See Figure 7).

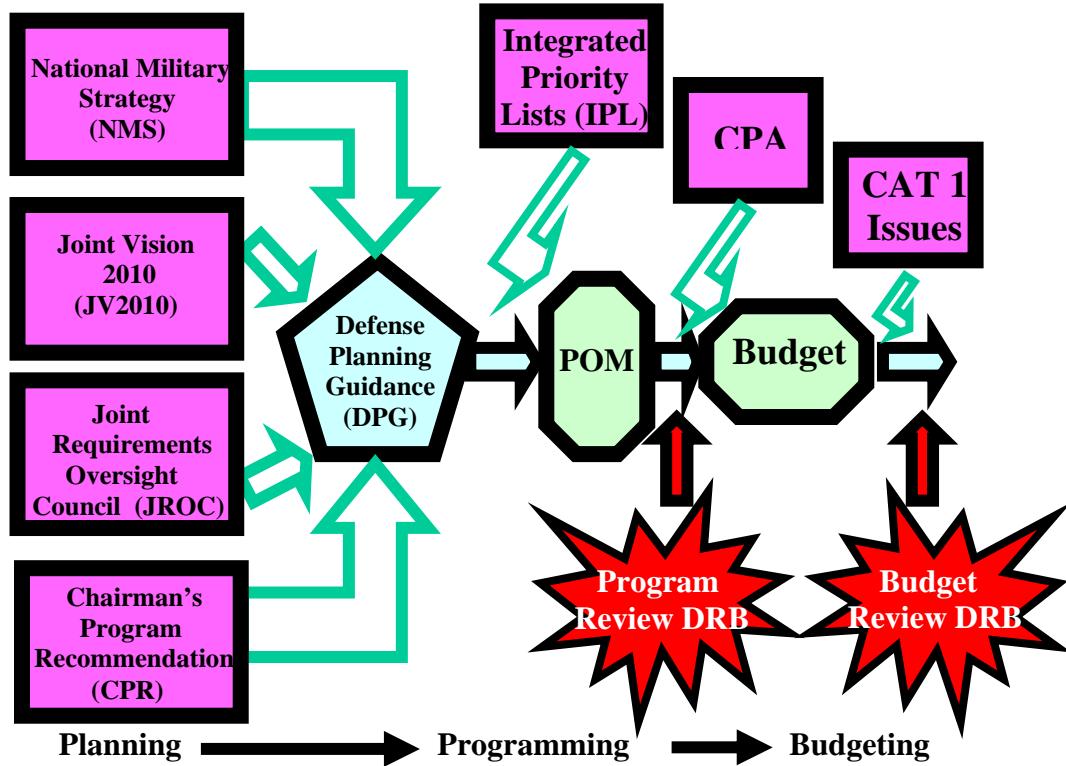


Figure 7. Chairman's Influence in Planning, Programming and Budgeting System (PPBS).

Goldwater-Nichols not only greatly increased the Chairman's authority in resource allocation matters, it also created the position of Vice Chairman of the Joint Chiefs of Staff (VCJCS). Since creation of this position, each Vice Chairman has enjoyed increased authority over that of his predecessor while establishing the Vice Chairman's

role as the preeminent military advisor to the Secretary of Defense on resource allocation matters.

Because the Chairman spends a large proportion of his time on strategic and operational planning, he influences the resource allocation process largely through the Vice Chairman. By empowering the Vice Chairman to act on his behalf, the Vice Chairman serves as *de facto* Chairman over much of resource allocation process. To assess the prominence of the Vice Chairman, we must first understand the governing body through which he exercises much of his growing influence—the Joint Requirements Oversight Council (JROC).

Joint Requirements Oversight Council

Unforeseen at the time of its creation, the JROC has evolved into one of the primary vehicles by which the Chairman is influencing resource allocation reform within DoD. As Admiral William A. Owens (former VCJCS) stated during an assessment made ten years after enactment of the Goldwater-Nichols Act:

Today the Joint Requirements Oversight Council (JROC) has become the chief mechanism through which the Chairman prepares his advice, and the process works well; so well, in fact, that it represents the first major revision of the Planning, Programming, and Budgeting System (PPBS) since Secretary Robert McNamara put it in place more than three decades ago. This new process has threatened old ways of doing business and thus has generated no little controversy.⁷⁵

Originally created by the JCS as the Joint Requirements and Management Board (JRMB) in 1984, the board was chartered to provide oversight and advise the JCS on the

⁷⁵ William A. Owens and James R. Blaker, *Overseeing Cross-Service Trade Offs*, in *Joint Forces Quarterly*, Autumn 1996 (Washington: National Defense University, 1996), 37.

development and acquisition of Major Defense Acquisition Programs (MDAPs).⁷⁶

Renamed the Joint Requirements Oversight Council (JROC) in 1986, the board has expanded its influence as the Secretary of Defense has come to find great utility in the actions of the JROC. Guiding the JROC's actions was new Title 10 U.S.C. language authorizing the JROC to act on behalf of the Chairman on major resource allocation issues:

(b) MISSION.—In addition to other matters assigned by the President or Secretary of Defense, the Joint Requirements Oversight Council shall—

- (1) assist the Chairman of the Joint Chiefs of Staff in identifying and assessing the priority of joint military requirements (including existing systems and equipment) to meet the military strategy;
- (2) assist the Chairman in considering alternatives to any acquisition program that has been identified to meet military requirements by evaluating the cost, schedule, and performance criteria of the program and of the identified alternatives; and
- (3) as part of its mission to assist the Chairman in assigning joint priority among existing and future programs meeting valid requirements, ensure that the assignment of such priorities conforms to and reflects resource levels projected by the Secretary of Defense through defense planning guidance.

Figure 8. U.S.C. Title 10, 1988

⁷⁶ Major Defense Acquisition Programs (MDAPs) are defined as those programs that are estimated by the Under Secretary for Acquisition and Technology (USD-A&T) as requiring an eventual total research, development, test, and evaluation (RDT&E) expenditure greater than \$355 million (in constant FY 1996 dollars), or a procurement cost of more than \$2.1 billion in procurement funds measured in FY1996 constant dollars.

Prior to 1987, the JROC had been limited to acting almost exclusively as a clearinghouse for information meant to inform each Service's senior leadership about the MDAPs of the other Services. The role of the JROC began to change in 1987 when the Vice Chairman was named as permanent chairman of the JROC and armed with increased legislative authority to discharge his duties. With a single individual now clearly in charge of the JROC process, the JROC began to exert considerably more influence than had the JRMB that preceded it. The empowered JROC could—and did—defer acquisition of ACAT 1 programs having implications for more than a single Service.⁷⁷

March 1984	Joint Chiefs of Staff establish Joint Requirements and Management Board (JRMB)
June 1986	JRMB replaced by Joint Requirements Oversight Council (JROC)
October 1986	Goldwater-Nichols Act becomes law
April 1987	VCJCS designated JROC Chairman
October 1994	JROC helps prepare Chairman's Program Assessment (CPA)

Figure 9. JROC Evolution⁷⁸

Support for an empowered JROC came from a growing consensus within the Pentagon who felt too many emerging acquisition programs were proceeding with too

⁷⁷ ACAT 1 programs are major defense acquisition programs subject to Defense Acquisition Board oversight and estimated by the USD(A & T) to require an eventual total expenditure of more than \$355,000,000 in RDT& E funds, or \$2,135,000,000 in procurement funds measured in FY1996 constant dollars. The JROC must validate all ACAT I Mission Needs Statements (MNS) prior to development of Operational Requirements Directives (ORD) and program initiatives to satisfy the need.

little oversight from senior military officials.⁷⁹ Within an increasingly constrained resource environment, there was an acknowledgement that growing requirements were outstripping any realistic possibility of receiving full funding. By the early 1990s—aided by pressure to realize a Revolution in Military Affairs—the JROC began to redefine its role away from simply reacting to Service initiatives, towards that of setting the future orientation of the U.S. military.⁸⁰

In addition to being the Chairman of the JROC, the VCJCS is the Vice Chairman of the Defense Acquisition Board (DAB).⁸¹ As the only permanent active duty member on the DAB, the Vice Chairman wields significant clout in that he is the only member common to both the JROC and the DAB. By holding high positions in both the military program validation process (JROC) and civilian dominated acquisition process (DAB), the Vice Chairman has the distinction of having multiple opportunities within the process to impose his resource allocation will. (See Figure 10).

⁷⁸ Office of the Vice Chairman of the Joint Chiefs of Staff, *JROC: Planning in a Revolutionary Era*, (Washington, JCS, 1996), 3.

⁷⁹ JROC, 8.

⁸⁰ JROC, 9.

⁸¹ The Defense Acquisition Board (DAB) was created along with the JROC in 1984 following the demise of the Joint Requirements and Management Board (JRMB). In testimony before the Research and Development and Military Procurement subcommittees of the House National Security Committee on 27 June 1996, Paul G. Kaminski , USD (A&T) defined the DAB as being “responsible for advising the defense acquisition executive on the enforcement of policies and procedures governing the operations of the DoD acquisition system. This group reviews mission area deficiency needs validated by the Joint Requirements Oversight Council for the Milestone 0 decision to start a new acquisition program and concept exploration study efforts. A key function of the DAB is to perform reviews of the Department’s major defense acquisition programs at the milestone I through Milestone III decision points.”

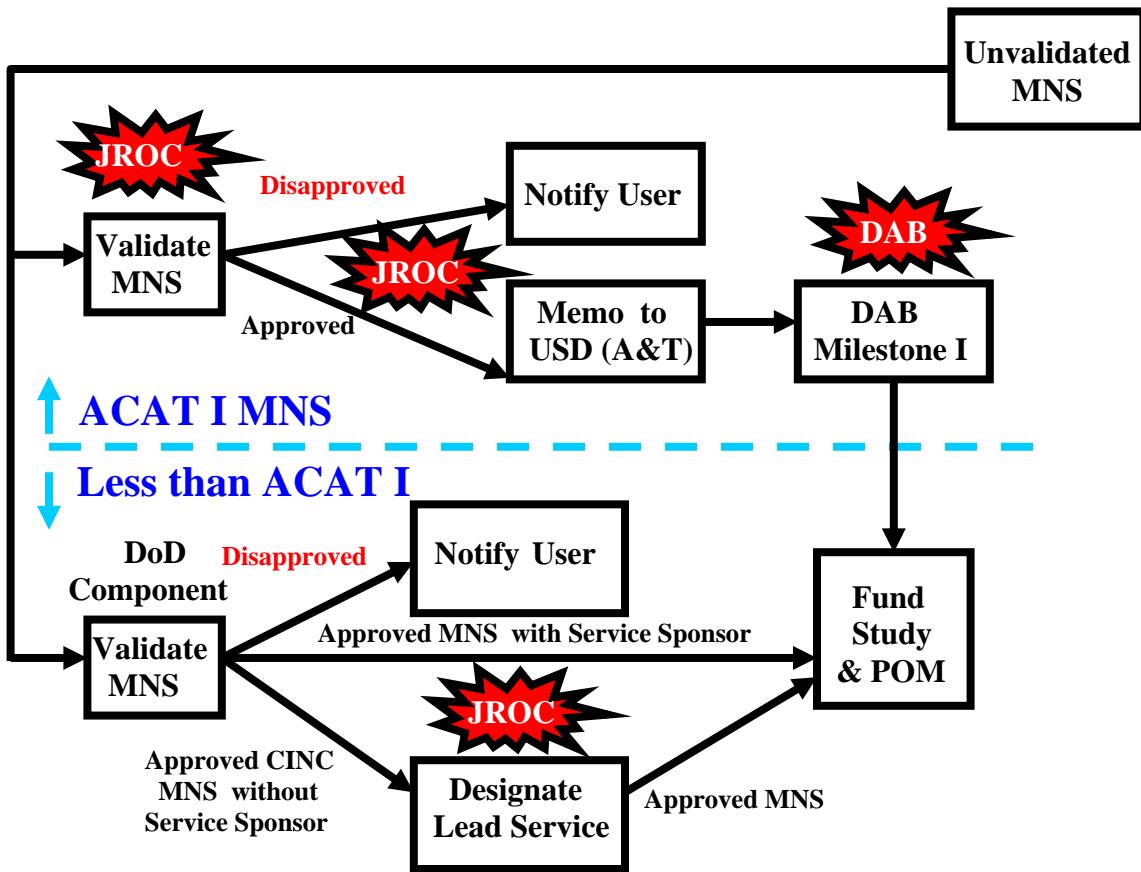


Figure 10. MNS Validation and Approval Process

As the JROC has matured, strong parallels can be seen in its development and that of the Joint Chiefs of Staff over the preceding thirty-five years. Whereas the JCS was originally the domain of the Services, increasing centralization at the CJCS level was found to be necessary to bring efficiency and control over the process. Similarly, as the JROC has assumed greater authority, it has become positioned to centralize resource allocation decisions along the same model that JCS evolution led to strategic and organizational centralization. In both models, joint efficiency is gained at the expense of

Service autonomy. The same pattern can now be seen emerging within the JROC process.

Chairman's Program Recommendation (CPR)

The CPR was designed to shape the Secretary of Defense's Defense Planning Guidance (DPG)—an annual document—which provides resourcing guidance to meet the nation's military strategy. Intended to guide Service expenditures, the CPR has become a roadmap against which Service resource allocations are measured. Reflecting the needs of the joint community, the CPR has become controversial for the manner in which it is crafted.

The CPR is crafted heavily by the separate Joint Warfare Capabilities Assessment (JWCA) teams. While the JWCA teams have Service representation, the final outputs are controlled by the directorates of the Joint Staff. In consultation with the Unified CINCs, the JWCA teams provide input that formulate the basis of the CPR. Although the Services get a look at the CPR prior to submission to the Secretary of Defense, the fact that the CPR is considered “a personal correspondence to the Secretary” precludes Service Chief non-concurrence. Service Chief dissatisfaction with the document receives little attention as the Services are held to the mandates incorporated into the Defense Planning Guidance. Failure to comply with the DPG opens the Service Chief's Program Objective Memoranda (POM) to funding shifts necessary to impose compliance with the Secretary's guidance. The fact that the CPR is a seminal building block of the DPG makes clear that the Chairman's influence on resourcing matters continues to grow.

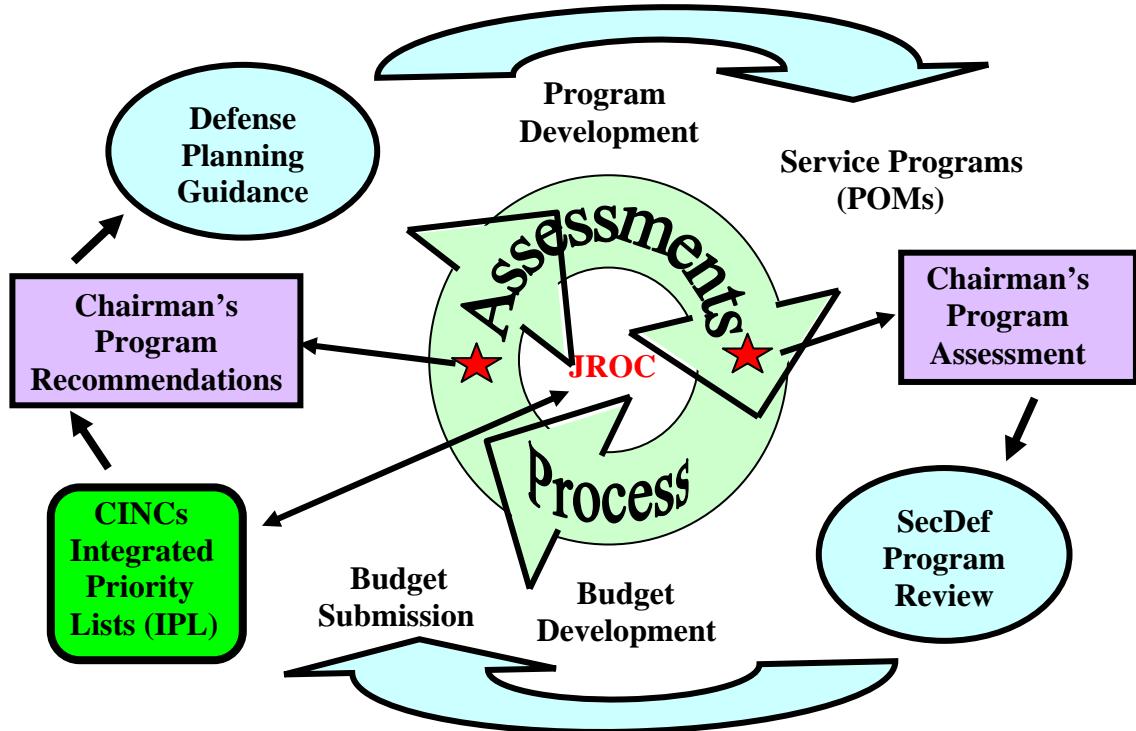


Figure 11. JROC Assessment Process

Integrated Priority Lists

In addition to meeting the mandates of the DPG, the Service Chiefs also receive direct guidance from the Unified CINCs regarding programming decisions. The Goldwater-Nichols Act had identified a need for a greater Unified CINC role in the resource allocation process, and the Integrated Priority List (IPL) was created. Submitted prior to POM submission, the IPL is a prioritized list of programs the Unified CINCs require to increase their warfighting capability. Adding to the difficulty in complying with these mandates is the fact that the IPLs have burgeoned into a near inclusive list of “must-

fund” programs that far exceed Service Chief funding authority. Aggravating the dilemma of too many programs and too few funds, the IPLs are often criticized for requiring near-term deliverables with little regard for out-year requirements.

Although the IPL process procedurally belongs to the Unified CINCs, there is a strong level of collusion between the Joint Staff and the CINC staffs in drafting the documents. Knowing the priorities of the Chairman, and working closely with the JWCA teams, there is a high level of coordination that takes place prior to IPL submission. Prior to IPL submission, the Secretary of Defense—in coordination with the Chairman—distributes guidance to the CINCs specifying what shortfalls are appropriate for inclusion in the IPLs. In essence, the Secretary of Defense gives guidance to the CINCs regarding those shortfalls that the Secretary feels the CINCs should include in their lists of needs. CINC inclusion of Secretary identified resourcing shortfalls strengthens the Secretary’s position when he testifies before Congress on the needs of the Department. It also provides “warfighter” backing when the Secretary adjusts Service programs and budgets during ensuing program and budget reviews.

Chairman’s Program Assessment

Inevitably in a constrained resource environment, the Service Chiefs find themselves unable to comply with all of the funding mandates contained in the DPG and the IPLs. When tough trade-offs are forced, each of the Service Chiefs is guided by the overarching necessity to fund those programs necessary to ensure maintenance of their Services’ core competencies. There is consensus among the Service Chiefs that joint competency can

only be realized by integrating the core competencies that each of the Services bring to the fight. Where conflicts arise between Service needs and joint community needs, the Service Chiefs doggedly seek to protect Service core competencies.

Upon reviewing the Service POMs, the Chairman is again afforded the opportunity to affect funding shifts via the Chairman’s Program Assessment (CPA). Upon release of the Service POMs, the JWCA teams scrutinize each program for compliance with joint funding mandates. Those areas that in the estimation of the JWCA teams fall short of joint needs are addressed in the CPA. The draft CPA goes to the JROC for review and the JROC makes necessary adjustments prior to submission to the Chairman for signature. Another “personal correspondence to the Secretary,” the CPA—again with little influence by the Service Chiefs—makes recommendations to the Secretary regarding Service POM compliance with joint resourcing priorities. Although the Service Vice-Chiefs have an understanding of the risk accepted in each Service POM, their attempts to protect Service core competencies often clash with the needs of the other Services. Ultimately, the contents of the CPA are based on the Chairman’s joint needs based on close consultation with the Vice Chairman. As the Vice Chairman exerts greater and greater influence within the JROC process, it can be seen that any previous reluctance by the Chairman and the Vice Chairman to challenge Service programs is rapidly disappearing.

When the CPA is submitted to the Secretary, accepted recommendations result in funding shifts via release of OSD Program Budget Decisions (PBD). PBDs reallocate funds within programs and run the risk of unbalancing Service programs.

Joint Vision 2010 Implementation Process

In May 1995 the *Commission on Roles and Missions* (CORM) released their report which advocated strengthening the Chairman’s role in creating a unified vision for joint operations. The report included a recommendation that “The Chairman of the Joint Chiefs of Staff (JCS) should propose, for the Secretary of Defense’s approval, a future joint warfighting vision to help guide Service force development efforts.”⁸² The CORM report was unique by modern standards in its depiction of the joint community as being capable of possessing “core competencies.” Previous attempts at joint unification had been rejected on the grounds that joint force efficacy was built on integrating Service “core competencies.” Elaborating on the concept of joint “core competencies” the CORM report found:

A pressing need for a central vision to harmonize the Services’ own views. This vision should drive joint requirements and serve as a basis for elevating the importance of joint operations as an essential “core competency” of all joint commands and agencies.⁸³

In his 24 August 1995 response to Congress on the CORM, the Secretary of Defense accepted the recommendation that the Chairman of the Joint Chiefs of Staff propose a “future joint warfighting vision to help guide Service force development efforts” and the path was cleared for creation of the Chairman’s vision for joint force integration.

Responding to the Secretary’s tasking, in July 1996, the Chairman released *Joint Vision 2010-America’s Military: Preparing for Tomorrow*. While the content of JV2010

⁸² Commission on Roles and Missions of the Armed Forces: *Directions for Defense-The Department of Defense Report*. (Washington: Brassey’s, 1995), 2-2.

contained vague, yet controversial “operational concepts,” it was the manner of JV2010 implementation that was noteworthy. In October 1996, the Chairman released *Chairman of the Joint Chiefs of Staff Instruction* (CJCSI) 3010.01 which outlined his JV2010 Implementation Policy. Included in this instruction were new ground rules for the Chairman to increase his resource allocation influence by tasking the Service Chiefs to “integrate JV2010 into Service processes, systems, and programs.”⁸⁴

Release of *Joint Vision 2010* and more importantly, the release of the Chairman’s *Joint Vision 2010 Implementation Policy* were watershed events in the Chairman’s role in the resource allocation process. Prior to this, the Chairman’s role had been limited to making recommendations for marginal adjustments to Service programs in the name of jointness.

With the Secretary of Defense’s support, the Chairman is now issuing programming guidance directly to the Service Chiefs. Without U.S.C Title 10 legislation providing the Chairman significant procurement authority, the Chairman’s *JV2010 Implementation Policy* provides a methodology for circumventing existing resource allocation statutes. By issuing an internal CJCSI directing the Service Chiefs to fund programs in support of JV2010, the Chairman does not need funding authority to achieve his desired end-state. Unable to effect change with his own meager resources, the Chairman has developed a process that provides him with the analytical underpinning needed to justify his ensuing CPR and CPA recommendations. Service Chief funding decisions unsupportive of

⁸³ Commission on Roles and Missions of the Armed Forces: *Directions for Defense-The Department of Defense Report*. (Washington: Brassey’s, 1995), 2-2 – 2-3.

⁸⁴ Chairman of the Joint Chiefs of Staff, *Chairman of the Joint Chiefs of Staff Instruction 3010.01: Chairman’s Joint Vision 2010 Implementation Policy*, (Washington, Government Printing Office, 1996), 5-6.

JV2010 implementation are now open to attack by the Chairman as he makes resource allocation recommendations to the Secretary of Defense. While the Chairman lacks the legal authority to alter Service Chief resource decisions, it is clear that the Secretary of Defense intends to back the Chairman with *his* Title 10 U.S.C. programming authority. Contrary to the common perception of *Joint Vision* 2010 as a non-binding corporate vision, with CJCSI 3010.01 in effect, the Chairman has taken a very large step towards issuing prescriptive—vice descriptive—programming guidance.

A Declining Congress

Concomitant with the increasingly empowered Chairman and Vice Chairman, is the deterioration of Congressional support for the Service Chiefs. Whereas in the decades following World War II, military experience in Congress averaged around 70 percent, the number of Congressmen with military experience has been dropping precipitously. Collectively, about 40 percent of current members of Congress have served in the military and only about 23 percent of freshman lawmakers are former Service-members.⁸⁵

Along with the declining support in Congress is the lack of support within the senior levels of the Executive branch of government. The Commander-in-Chief, the Secretary of Defense, the Secretary of State and other key officials have no military experience. This declining support both within the Legislative and Executive branches of government

⁸⁵ Sandra Meadows, *Antipathetic lawmakers, pressure to cut overhead costs presage bleak outlook for defense budget*, (Arlington, Va, National Defense, 1997), 4.

bodes ill for Service Chiefs used to depending on lawmakers familiar with Service needs and willing to protect their requirements.

The Quiet Reorganization

Past DoD reforms have not been quiet affairs. In fact each of DoD's past reform efforts has been accompanied by hand-wringing, declarations of doom, hyperbole and rhetoric. Yet, a new—quiet—DoD reorganization is currently underway that is causing hardly a raised eyebrow outside the Pentagon. What makes this reorganization unique is that very few people know that it is taking place. Unlike previous DoD reorganizations initiated by the Executive and battled in the Legislature, current resource allocation reform is largely taking place behind locked doors. There—instead of seeking cumbersome statutory revisions—real change is taking place through implementation of DoD policy memoranda, Chairman of the Joint Chiefs of Staff Instructions and internal department reorganizations.

As an organization, the Department of Defense learned long ago the power of politics. With the largest departmental budget in the government, DoD wields unmatched influence within the bureaucracy. Even so, the Secretary of Defense never forgets that every one of his resource allocation decisions is subject to review and alteration by a Congress who controls the purse strings. DoD understands that billion dollar contract decisions often have more to do with Congressional pork and constituent voter sensitivities than with national security. Most importantly, the Department has learned the risks inherent with allowing a critical issue to enter the public domain—where once the debate has been joined by the

media and the voters, control will be lost. Thus the current reorganization is being done far away from the limelight of media pools and press releases.

The precedent for our current approach can be traced to Secretary of Defense Robert McNamara who entered office in 1961 and served until 1968. Upon assuming office, McNamara was asked what legislative changes would be needed to implement control and discipline throughout the Department. After reviewing existing U.S.C. Title 10 legislation and internal DoD policies, McNamara reported that no legislative changes were necessary—he had all the power he required, it just needed to be exercised. Operating within existing legislation, McNamara implemented the most far-reaching and controversial policies the Department had ever seen—and he did it all through internal policy memorandums. The period from 1961–1968 was the most legislatively stable period in the Department’s history, with no significant legislative changes taking place. Yet even with legislative stability, the Department was being torn apart *from the inside*—all within the purview of McNamara’s existing authority. Nearly twenty years after McNamara’s reign, the Senate Armed Services staff study titled *Defense Organization: The Need for Change* articulated the relationship that existed between PPBS and Department reorganization:

PPB and Departmental reorganization can be regarded as partial substitutes for one another. When PPB was flourishing in the Defense Department it was utilized to accomplish many of the objectives that had been sought in earlier reorganization attempts. Even though each of the military Services retained its separate organizational identity, it was possible for the Secretary of Defense to make cross-cutting decisions by means of the mission-oriented budget.⁸⁶

⁸⁶ Senate Armed Services Committee Staff Study, *Defense Organization: The Need for Change*, 99th Congress, 1st sess. S. Rpt. 99-86 (Washington: Government Printing Office, 1986), 483.

It would be fair at this point to ask how military officers working within the Pentagon would allow such a reform movement to take place if it was detrimental to the health of the Department. The answer to this question lies in the seemingly symbiotic relationship that has developed between the Chairman and the Secretary of Defense. In the past, the Joint Staff served the needs of the Services. Now, the Joint Staff serves the needs of the Chairman. In so doing, the J-8 (Resource Allocation and Integration Division-RAID) of the Joint Staff is working directly with the Office of the Under Secretary of Defense, Comptroller (USD (C)) often to the exclusion of the Services.

Whereas previous reorganizations were debated on an unclassified level by the public and in open, Congressional testimony, today's PPBS reform is being conducted by OSD and the Joint Staff in closed forums unobserved by outsiders. Internal secrecy has been institutionalized by conducting these forums at a classified level. Boards conducted by the Program Review Group, Joint Requirements Oversight Council, and Defense Resources Board are all routinely "Principal only—Classified Secret" level meetings. Memorandums For the Record (MFRs) are largely either non-existent or "Close-Hold" and prevent what are described as "pre-decisional" results from reaching the public domain.

The result of such an insular process is that very few people are privy to the changes that are taking place within the resource allocation environment. Of the very few people aware of what's happening, the Service Chiefs and Vice Service Chiefs stand almost alone in trying to slow the pace of increasing joint resource influence. Acutely aware of what is happening, the Service Chiefs stubbornly guard against increased resource

authority erosion and in so doing frequently incur new charges of placing parochial self-interests above those of the joint community.

For those who are not direct participants in the PPBS process, there exists an accepted attitude of disdain for—and ambivalence towards—the complexity of PPBS. The complexity of PPBS combined with the many other sub-processes of the Joint Strategic Planning System (JSPS)—in which PPBS is integrated—has prevented those involved with national defense policy from understanding the collective affects of current organizational changes.

The PPB system of the Department of Defense represents the most sophisticated resource allocation process within the Federal Government. Within a 15-month cycle, it is designed to translate broad national security objectives into a 5-year defense plan and a current year budget. Different phases of PPBS are often simultaneously addressing three different budgets: executing the current year's budget; programming, budgeting, or justifying next year's budget; and planning for the year beyond that.⁸⁷

What it all means

With the passing of Goldwater-Nichols, the Chairman has been legislatively empowered in the resource allocation process. Prior to Goldwater-Nichols, previous Chairmen had been reluctant to challenge Service Chief preeminence in this arena. By collectively assessing the Chairman's ascent in resourcing matters, it can be seen that the Chairman is positioning himself to exert even greater influence in the future.

Just as the Chairman—working in concert with the Secretary of Defense—has

⁸⁷ Senate Armed Services Committee Staff Study, *Defense Organization: The Need for Change*, 99th Congress, 1st sess. S. Rpt. 99-86 (Washington: Government Printing Office, 1986), 506.

come to dominate strategic and operational processes, he now stands armed to do the same within the resource allocation process. With the VCJCS positioned to capitalize on his dominance within the JROC process, there is a gaining momentum for the VCJCS to assume an even greater role within the JROC process. In isolation, VCJCS domination of the JROC process would not unilaterally threaten Service Chief funding authority. Taken with other CJCS mechanisms for influencing funding decisions, a pattern of increasing resource allocation influence is being established by the Chairman.

As much as PPBS was created to be a cross-cutting, integrated process within the Joint Strategic Planning System, in reality, the system pits the Services against each other, and all of the Services against OSD. In a zero-sum resource distribution game, when one Service wins, another Service loses. Understandably concerned over cuts to their budgets, the Service Chiefs feel obligated to take those actions necessary to rectify the situation. Whether this means making appeals to Congress or exposing flawed analytical decision making, the Service Chiefs open themselves up to charges of having myopic vision and parochial interests. This environment not only creates friction among the Services, it creates a situation that demands intervention by the Secretary of Defense with the council of the Chairman. In our current environment where “all things joint” are seen as good, the Chairman is able to step in and provide a vision for the future backed by the Secretary’s authority to shift Service funding. Once thought inconceivable, it now seems wholly believable that the Chairman may become the ultimate authority for approving major defense acquisition programs.

Where Do We Go From Here?

The pendulum has clearly swung towards joint resourcing. A mere fifteen years ago, the Service Chiefs executed near complete dominance over the resource allocation process. Since passage of Goldwater-Nichols, Service Chief resourcing authority has come under constant assault in the name of jointness. The *Iran I* Hostage Rescue attempt and *Operation Urgent Fury* in Grenada, clearly showed the importance—in human lives—of linking operational requirements to joint interoperability. PPBS was *expressly* designed to do just that—link limited resources with validated operational requirements that support the military strategy. Contrary to some popular beliefs, Service Chiefs don't argue against validated requirements designed to provide greater interoperability on the battlefield. Service Chiefs unanimously endorse such systems and are vocal in stating that such systems should be identified, developed and acquired. This is not the issue.

Without outside interference, each Service Chief has a system for prioritizing—based on cost-benefit analysis—the myriad of validated requirements that warrant becoming funded programs. In a resource constrained environment, many tough choices must be made. Yet, the Service Chiefs are able to make such choices because they are repeatedly forced to measure a program initiative's value by its contribution to a core warfighting capability. If the program provides a marked increase in a core warfighting capability, then the program should be pursued. If the program does not, then the initiative should remain unfunded.

The real issue is whose priorities will take precedence over whom. In our current environment where joint mission needs statements are being crafted and joint “core

competencies” are being discussed, who will make future decisions as to which systems provide core competencies—the Service Chiefs or the Chairman—and whose core competencies will they be—the Services or the Department? With the past fifteen years as a guide, it appears that the Chairman is poised to emerge as the champion of joint requirements in support of joint “core competencies.”

If the Department is to get to the next phase of its evolutionary development, it’s time that the Chairman’s role in resource allocation matters be openly acknowledged and addressed. Goldwater-Nichols gave the Chairman Title 10 responsibilities for advising the Secretary of Defense on program recommendations and budget proposals. The CPA and CPR are directly linked to how the Chairman feels the Services should allocate their resources. The Chairman is further charged with providing trained joint forces able to execute Chairman developed joint doctrine. If the Chairman is tasked with providing the vision and training armed forces to accomplish the vision, then why wasn’t he given resource allocation authority to fund the vision? Without his own resourcing authority, why are we surprised when the Chairman treads on Service resource allocation plans? What did we expect? The answers to these questions can be traced to our nation’s earliest fears of military dominance and the Constitution’s embodiment of the principle of civilian control over the military.

A similar relationship exists between the Secretary of Defense and the Chairman as exists between each military Department Secretary and their respective Service Chiefs. Each Secretary provides civilian oversight intended to prevent military action contrary to the democratic ideals of our country. The Chairman and the Service Chiefs in return, are

the principle military advisors on how to best organize, train and equip their respective military forces. Just as the Service Chiefs advise the Department Secretaries on those actions necessary to ensure properly trained and equipped Service forces, the Chairman advises the Secretary of Defense on those measures required to provide trained and ready joint forces. If we are truly striving to develop jointly trained and equipped military forces, then the Chairman will increasingly be required to place joint priorities higher than certain stove-piped Service-unique programs. This must be done if we are to make *Joint Vision 2010* a reality. Truthfully, such a change could be made right now without so much as a U.S.C Title 10 change. So why don't we do it?

All Department of Defense money “belongs” to the Secretary of Defense. Granted, Congress is the ultimate authority for resource allocation, but within the Department of Defense the Secretary of Defense allocates a portion of his Total Obligation Authority (TOA) down to each respective *Department Secretary*. Within the military Departments, the civilian Secretaries are granted U.S.C. Title 10 resourcing authority to “organize, train and equip.” Contrary to often cited Service Chief claims to this authority, U.S.C. Title 10 actually grants this authority to the Department Secretaries (See Figure 10):

Sec. 5013. Secretary of the Navy

(b) Subject to the authority, direction, and control of the Secretary of Defense and subject to the provisions of chapter 6 of this title, the Secretary of the Navy is responsible for, and has the authority necessary to conduct, all affairs of the Department of the Navy, including the following functions:

- (1) Recruiting.
- (2) Organizing.
- (3) Supplying.
- (4) Equipping (including research and development).
- (5) Training.
- (6) Servicing.
- (7) Mobilizing.
- (8) Demobilizing.
- (9) Administering (including the morale and welfare of personnel).
- (10) Maintaining.
- (11) The construction, outfitting, and repair of military equipment.
- (12) The construction, maintenance, and repair of buildings, structures, and utilities and the acquisition of real property and interests in real property necessary to carry out the responsibilities specified in this section.

Figure 10. Service Secretaries U.S.C Title 10 Authority

Nowhere in U.S.C. Title 10 is the mandate to “organize, train and equip” granted to the military Service Chiefs. The Secretary’s of each military Department retain and exercise the authority and responsibility for these duties. Yet in practice, the Service Chiefs are able to do what the Chairman is unable to do. They are granted the authority to make a budget and program *estimate* for a certain portion of the Department’s Total Obligation Authority. Subject to Secretariat adjustment and approval, the Programs and

budgets are submitted to the Secretary of Defense, for adjustment and submission to Congress. Everyone below Congress simply makes recommendations. Why shouldn't the Chairman be empowered to do for the Department what the Chiefs do for their Services?

It would be unwise for the Chairman to be granted his own funding authority. The last thing the Department needs is another layer of programmers and budgeters rushing headlong to obligate too little money towards too many requirements. What *is* needed is an open acknowledgement of the Chairman's *right* and *obligation* to pursue joint core competencies. Whether the Secretary retains a "Bishop's Fund" to accommodate JROC validated joint programs or simply acts on the Chairman's recommendations, this issue needs to be addressed in open forum.

With money such a controversial topic, the Chairman and Secretary have been reluctant to confront the Service Chiefs on emerging resource allocation procedural changes. Fearful of Congressional action should U.S.C. Title 10 legislation be pursued, the Chairman and Secretary are content to implement internal policy decisions to achieve the same end-state.

Chapter 9

Conclusion

One of the most consequential aspects of the Goldwater-Nichols Act directed the Chairman to advise the Secretary of Defense on requirements, programs and budgets. More than any other provision of the act, this change constituted the legal basis for the Chairman to become a key player in designing, sizing, and structuring the Armed Forces.

William A. Owens
Former JROC Chairman

Fifty years have gone by since the National Security Act of 1947 created the National Military Establishment as the predecessor to today's Department of Defense. Since its inception, the Department has undergone a stream of controversial and divisive reform efforts that have incrementally altered U.S.C. Title 10. Although the resulting legislation markedly centralized strategic and operational control over—and within—the Department's structures, legislative reform of the resource allocation process remains incomplete.

Impeding resource allocation reform has been the legacy of two events that continue to weigh heavily within the Department of Defense. The first of these events—the “Revolt of the Admirals”—occurred in 1949 and illustrated in stark terms the power of the Services when challenged by civilian leadership on matters of resource allocation. Fifty years after the fact, the Chairman and Secretary of Defense still tread lightly when it comes to challenging Service Chief resource allocation plans. Although

Goldwater-Nichols began a new and critically important phase of resource allocation reform, the Department of Defense and Executive branch of government have been reluctant to initiate follow-on legislation needed to complete the cycle of legislative change.

For decades the Services have testified before Congress about the need for their U.S.C. Title 10 resourcing authority to be protected. With the passing of Goldwater-Nichols, the Chairman of the Joint Chiefs of Staff was granted resource allocation responsibilities necessary to become a major participant in the Planning, Programming and Budgeting System. Empowered by U.S.C. Title 10 language charging *him* with ensuring joint forces are adequately equipped and trained, the Chairman has since been on a collision course with the Service Chiefs over how to best spend scarce Department resources. In addition to the Chairman's increased responsibilities for training and providing joint forces, Goldwater-Nichols also charged the Chairman with "Submitting to the Secretary alternative program recommendations and budget proposals, within projected resource levels and guidance provided by the Secretary, in order to achieve greater conformance with the priorities referred to in clause (B)." ⁸⁸

Even with such a broad mandate, a succession of Chairmen have moved very slowly so as to avoid direct confrontation that could trigger a second "Revolt of the Admirals" by the Service Chiefs. Reluctant to exercise *existing* U.S.C. Title 10 authority, Chairmen have been even more reluctant to pursue additional legislative reforms. Ironically, although Goldwater-Nichols provided a broad a mandate to the Chairman in 1986, fully exploiting it requires the

⁸⁸ Clause B of U.S.C Title 10, Section X charges the Chairman with "Advising the Secretary on the extent to which program recommendations and budget proposals of the military Departments and other components of the Department of Defense for a fiscal year conform with the priorities established for the requirements of the Unified and Specified Combatant Commands."

Chairman to demonstrate great courage if he is to complete the transformation of resource allocation legislation.

Unfortunately, the second event that has left a legacy on resource allocation reform is an approach designed to compensate for a lack of courage. Originated by former Secretary of Defense Robert McNamara, this less confrontational model was designed to achieve the results of defense reform without going through the contentious process of sponsoring and defending defense legislation. Instead of initiating legislation that is formally vetted through testimonial inquiry, recent Secretaries of Defense have chosen to perpetuate McNamara's model that pursues change through internal DoD policies.

Capitalizing on Congressional reluctance to implement bold change, the Secretary and Chairman are revising the internal mechanisms and processes needed to facilitate future resource allocation dominance. By avoiding confrontation over U.S.C. Title 10 legislation, the Secretary and Chairman are free to implement change via Departmental policy memoranda and Chairman of the Joint Chiefs of Staff Instructions. Just as McNamara realigned Departmental processes to fit his needs, the Chairman—with the full backing of the Secretary of Defense—is moving to realign the resource allocation processes needed to achieve his aims. With the Chairman and Vice Chairman well positioned within the DRB, DAB and JROC, the joint community is edging closer to dominating the Service Chiefs in resource allocation matters.

Eventually the time will be right to pursue U.S.C. Title 10 changes needed to elevate the Chairman to a position superior to the Service Chiefs in resource allocation responsibilities. Keenly aware of the diminishing pro-military lobby within Congress, the Secretary of Defense

and the Chairman are positioning themselves to capitalize on future calls for military defense spending reductions. With Congress likely to come under increasing constituent pressure to cut the defense budget, the resource allocation process is sure to come under renewed scrutiny. When that happens—as it inevitably will—the Chairman and the Secretary will step forward and testify with good news regarding *Joint Vision 2010* and the *Revolution in Military Affairs*. The Department *can* become the efficient and capable fighting force the Congress demands. The answer lies in increasing jointness throughout every facet of the Department's processes, to include “organizing, training, and equipping.” Describing how internal reorganizations have judiciously realigned the internal processes dealing with Departmental resource allocation relationships, new U.S.C. Title 10 language will become a *fait accompli*. Responding to the will of the Congress, the Chairman will assume his “rightful” place as the resource allocation authority for all things joint and the resource allocation reforms begun in the 20th century will be completed.

The parallels between JCS evolution and JROC evolution are profound. Both committees began as Service dominated mechanisms to improve defense management. Similar to the incremental erosion of JCS strategic and operational authority, the Chairman is following a similar path towards marginalizing Service authority in the name of jointness. Just as the Chairman rose to dominate the JCS, the Vice Chairman is now ascending to dominate the JROC in resource allocation matters. With history as a guide, the pendulum of momentum clearly favors the Chairman’s pursuit of joint dominance.

As David Packard stated in his foreword to the Final Report: *A Quest For Excellence*:

Excellence in defense management will not and can not emerge by legislation or directive. Excellence requires the opposite—responsibility and authority placed firmly in the hands of those at the working level, who have knowledge and enthusiasm for the tasks at hand. To accomplish this, ways must be found to restore a sense of shared purpose and mutual confidence among Congress, DoD, and industry. Each must forsake its current ways of doing business in favor of a renewed quest for excellence.⁸⁹

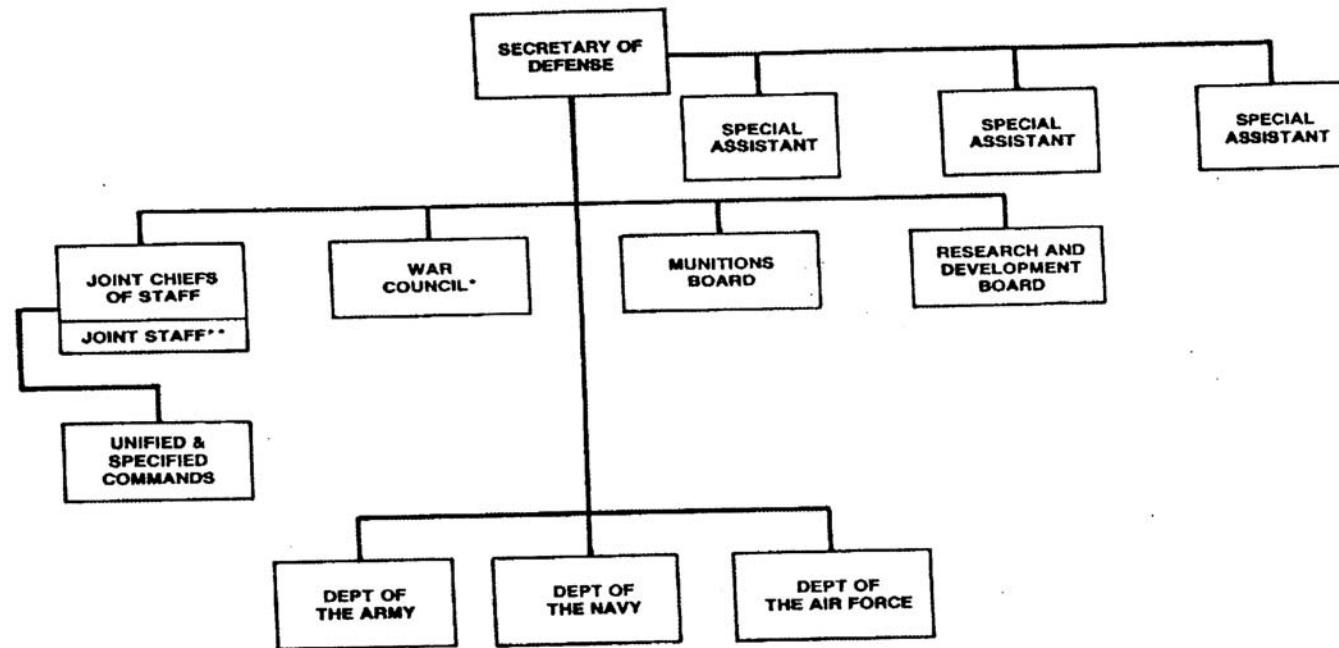
Although David Packard states that the solution to DoD inefficiency will not be found in legislation, the legacy of Goldwater-Nichols has yet to be fully felt. While the Act largely completed strategic and operational reform in this century, its resource allocation implications will surely last well into the next century. When the Chairman finally—and inevitably—ascends to dominate the Service Chiefs in resource allocation matters, there will be a great cry of outrage from many camps. During the post mortem to determine how the Chairman usurped the Service Chief's resourcing authority, closer inspection will reveal that the Chairman didn't really need new U.S.C. Title 10 legislation. Those who look will see that the Chairman had incrementally assumed control of the process through internal policy memoranda issued when no one was looking.

⁸⁹ President's Blue Ribbon Commission on Defense Management, *Final Report to the President: A Quest for Excellence* (Washington, Government Printing Office, 1986), xii.

Appendix A

National Military Establishment

September 1947



* Members were: Secretary of Defense, Secretaries of the Army, Navy, Air Force, Chiefs of Services

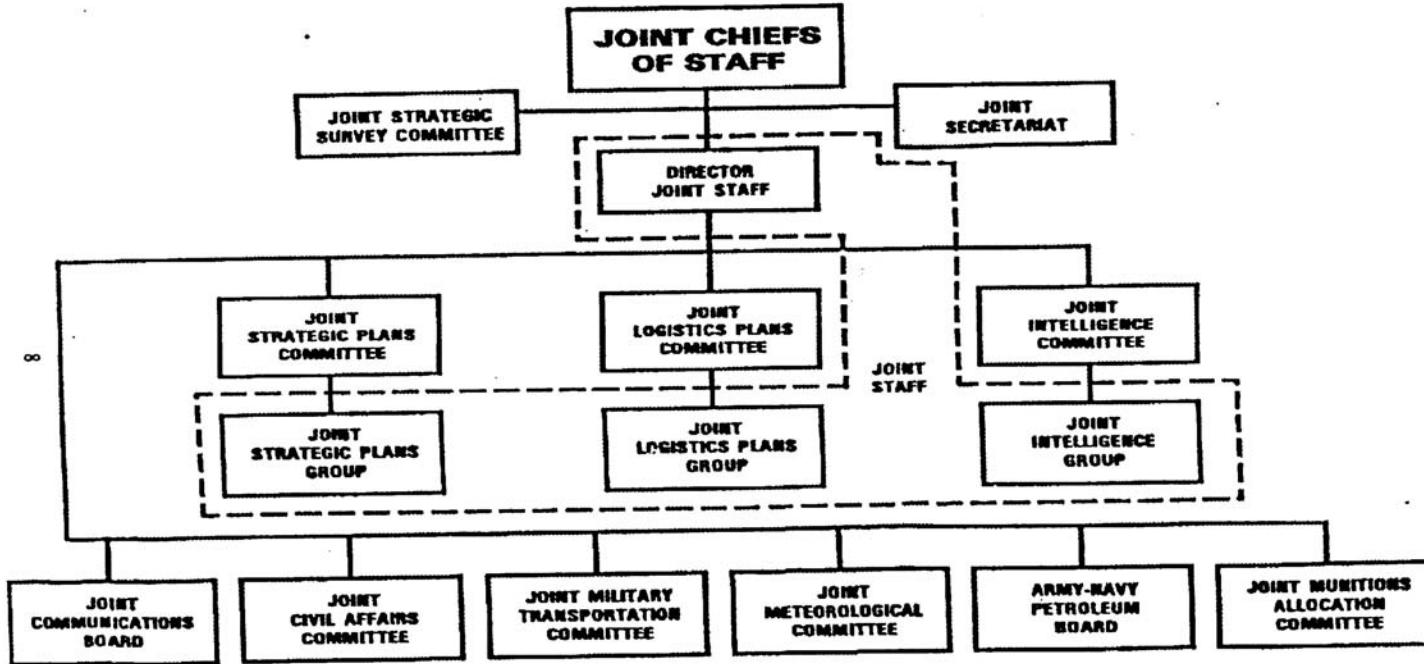
** Joint Staff limited to 100 members

Source: Victor H. Krulak, *Organization For National Security, A Study*,
(Washington: United States Strategic Institute, 1983), p. 74.

Appendix B

JCS Organization

26 October 1947



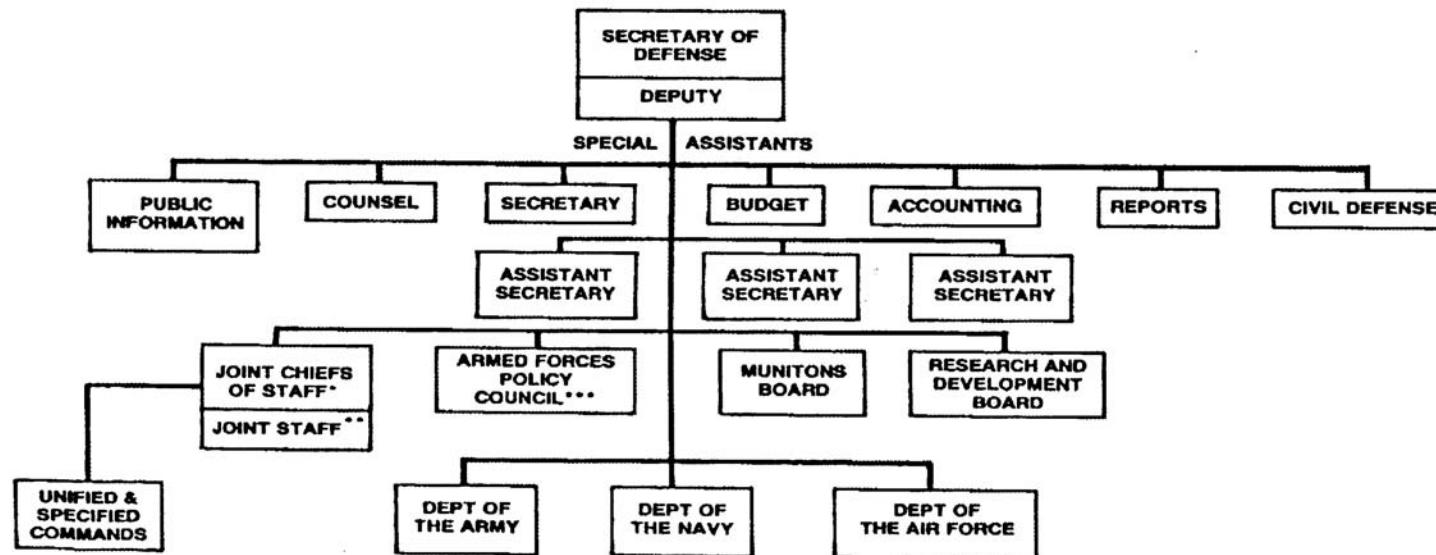
NOTE: ONLY MAJOR ORGANIZATIONAL ENTITIES SHOWN.

Source: Joint Chiefs of Staff, Historical Division, *Organizational Development of the Joint Chiefs of Staff: 1942-1989*, (Washington: Government Printing Office, 1989), p. 20.

Appendix C

Department of Defense

August 1949



* A Chairman is added.

** Personnel limitation lifted to 210 Officers.

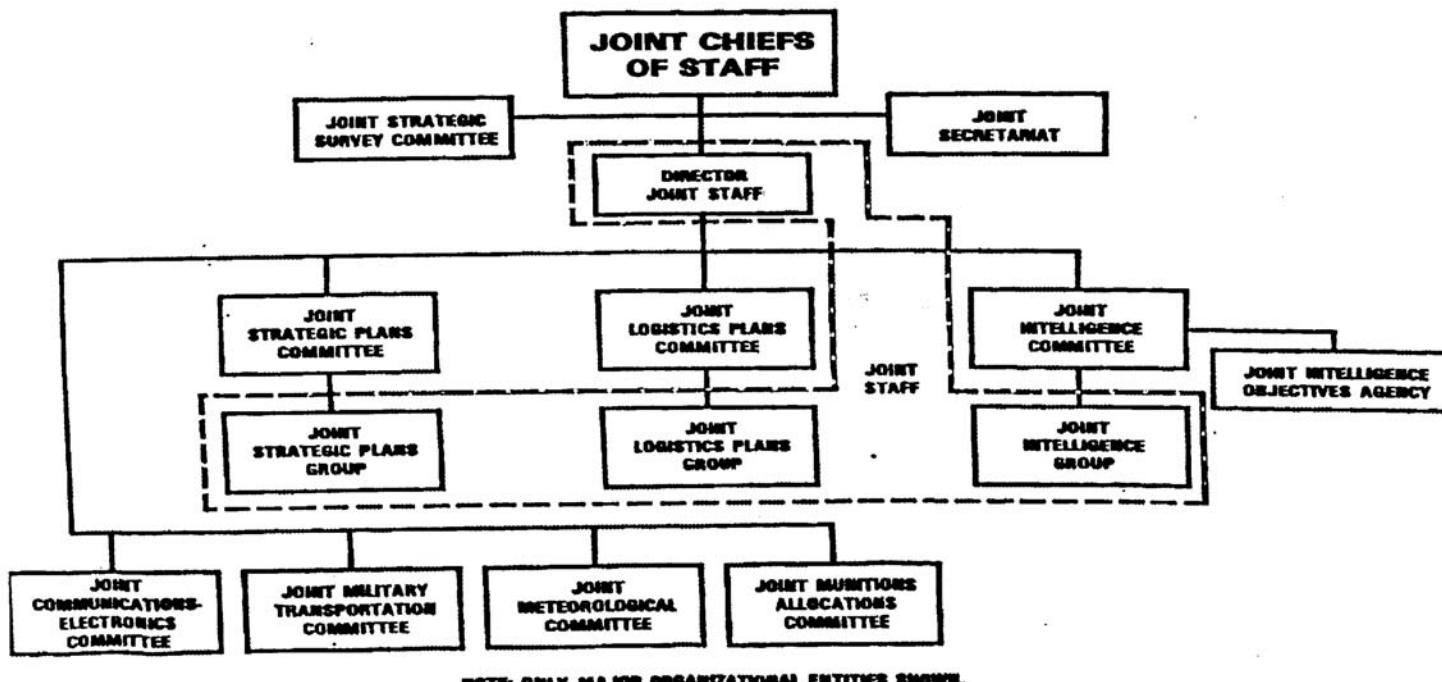
*** Members: Secretary of Defense and Deputy, Secretaries of Army, Navy and Air Force, Chiefs of Services

Source: Victor H. Krulak, *Organization For National Security; A Study*, (Washington: United States Strategic Institute, 1983), p. 75.

Appendix D

JCS Organization

28 August 1949

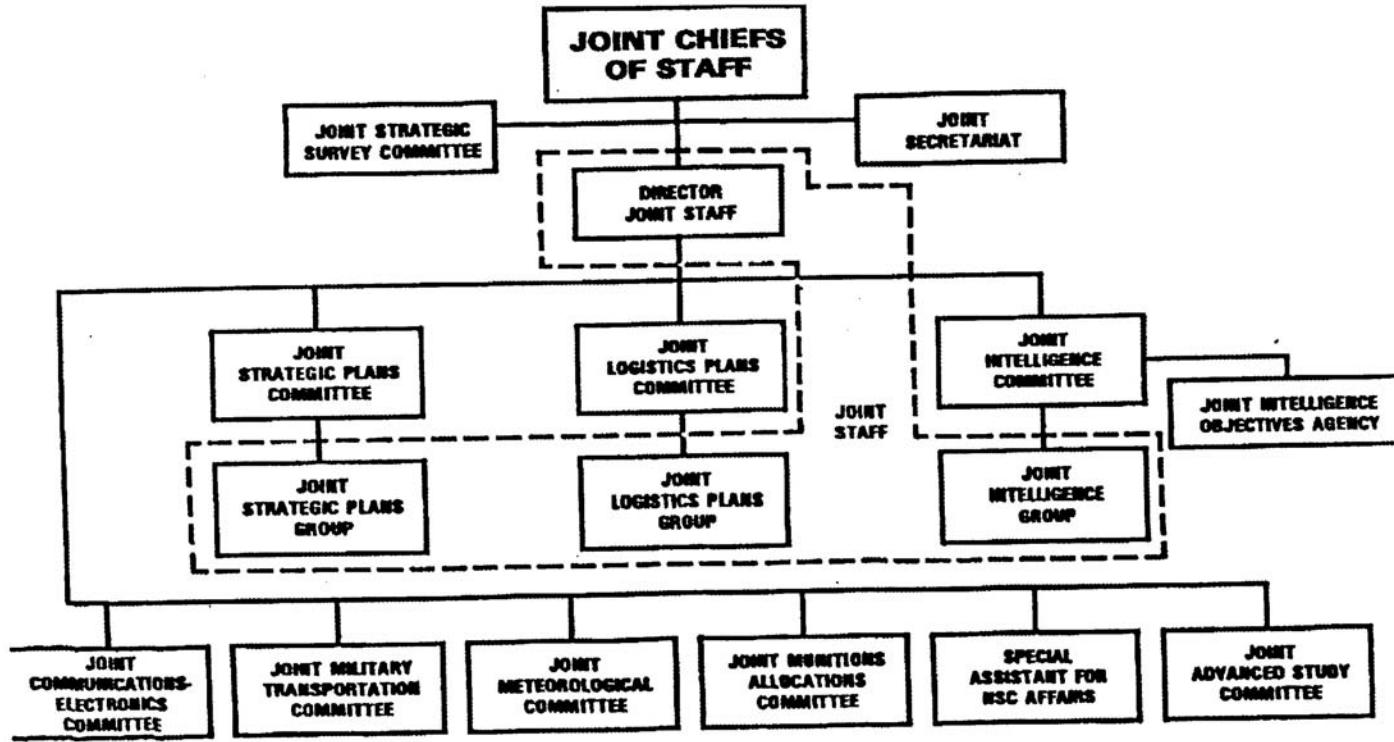


Source: Joint Chiefs of Staff, Historical Division, *Organizational Development of the Joint Chiefs of Staff: 1942-1989* (Washington: Government Printing Office, 1989), p. 27.

Appendix E

JCS Organization

30 June 1953

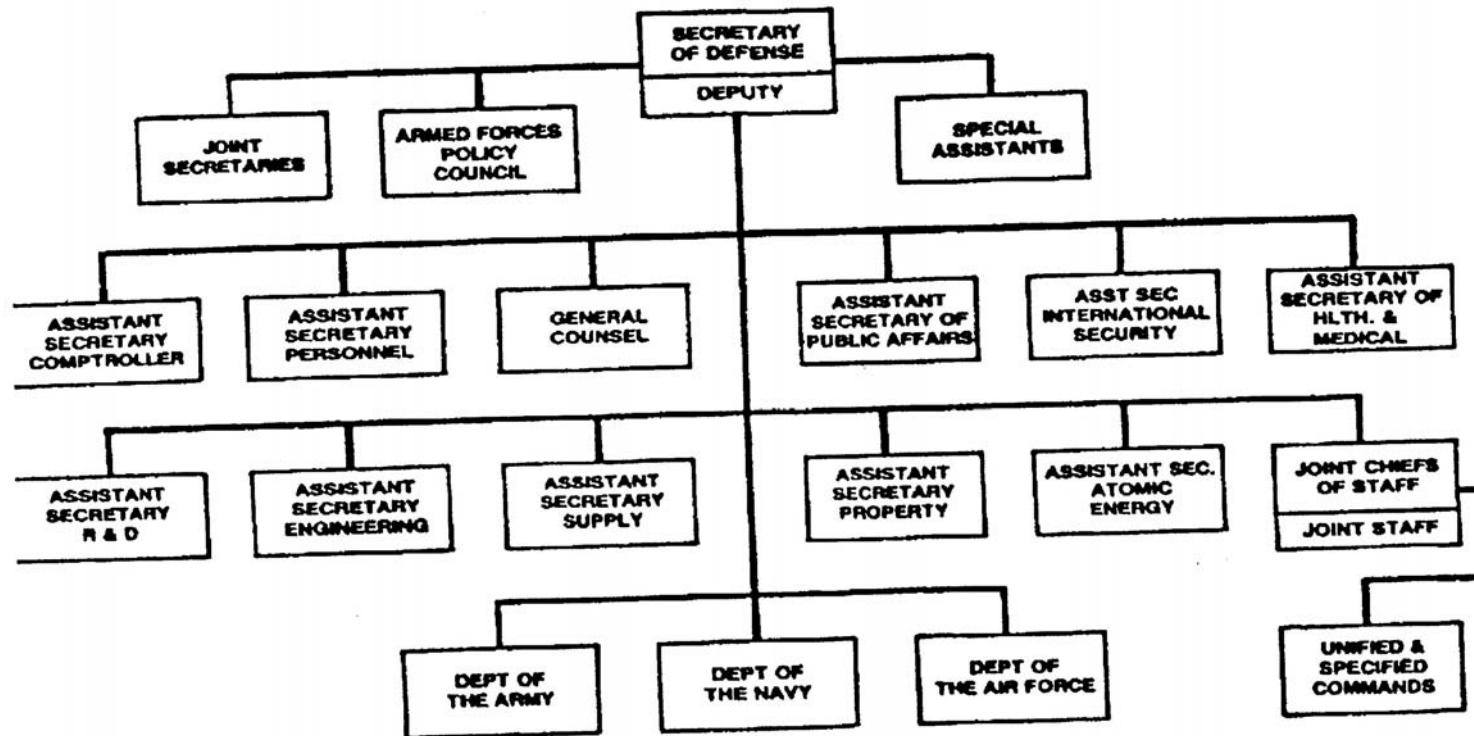


Source: Joint Chiefs of Staff, Historical Division, *Organizational Development of the Joint Chiefs of Staff: 1942-1989*, (Washington: Government Printing Office, 1989), p. 34.

Appendix F

Department of Defense

September 1953

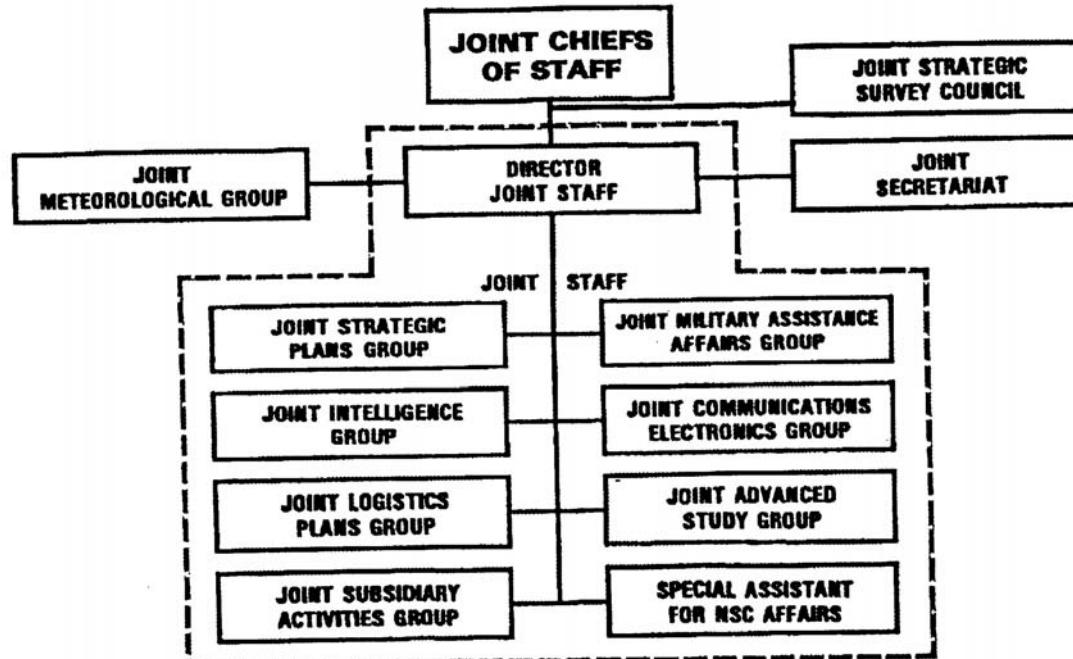


Source: Victor H. Krulak, *Organization For National Security; A Study*,
(Washington: United States Strategic Institute, 1983), p. 76.

Appendix G

JCS Organization

30 June 1958



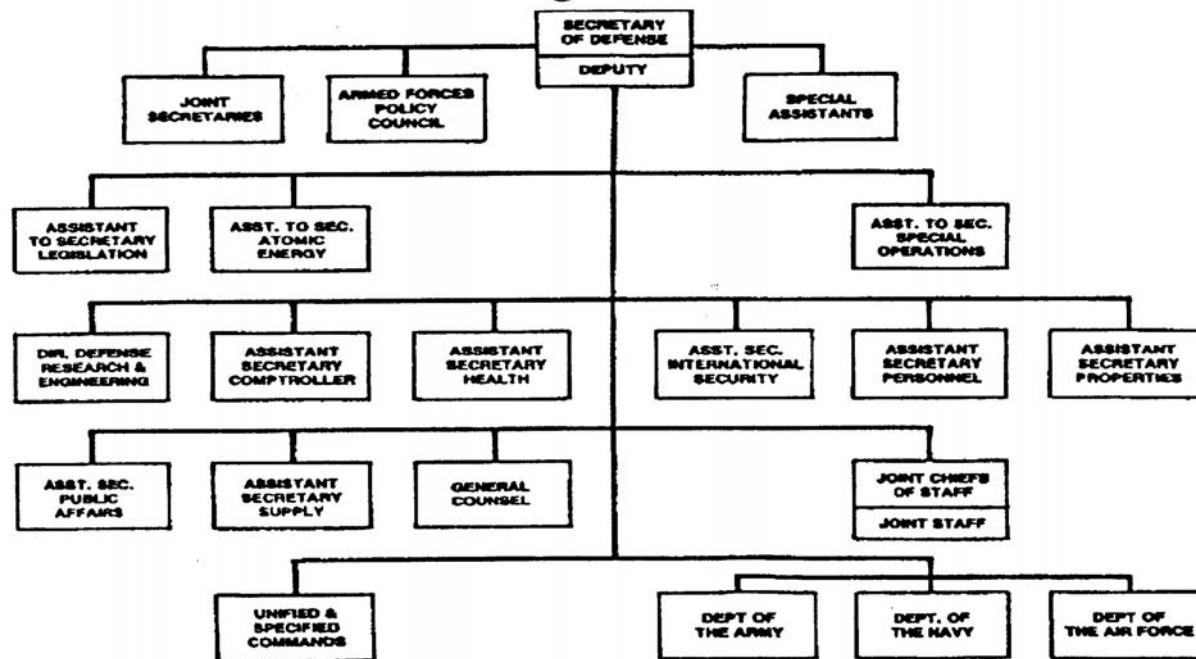
E: ONLY MAJOR ORGANIZATIONAL ENTITIES SHOWN.
BY 1958, THE DESIGNATION "ORGANIZATION OF THE JOINT
CHIEFS OF STAFF" HAD COME INTO USE TO INCLUDE THE
JOINT STAFF AS WELL AS THE OTHER OFFICES, AGENCIES,
AND GROUPS SUPPORTING THE JOINT CHIEFS OF STAFF.

Source: Joint Chiefs of Staff, Historical Division, *Organizational Development of the Joint Chiefs of Staff: 1942-1989*, (Washington: Government Printing Office, 1989), p. 44.

Appendix H

Department of Defense

August 1958

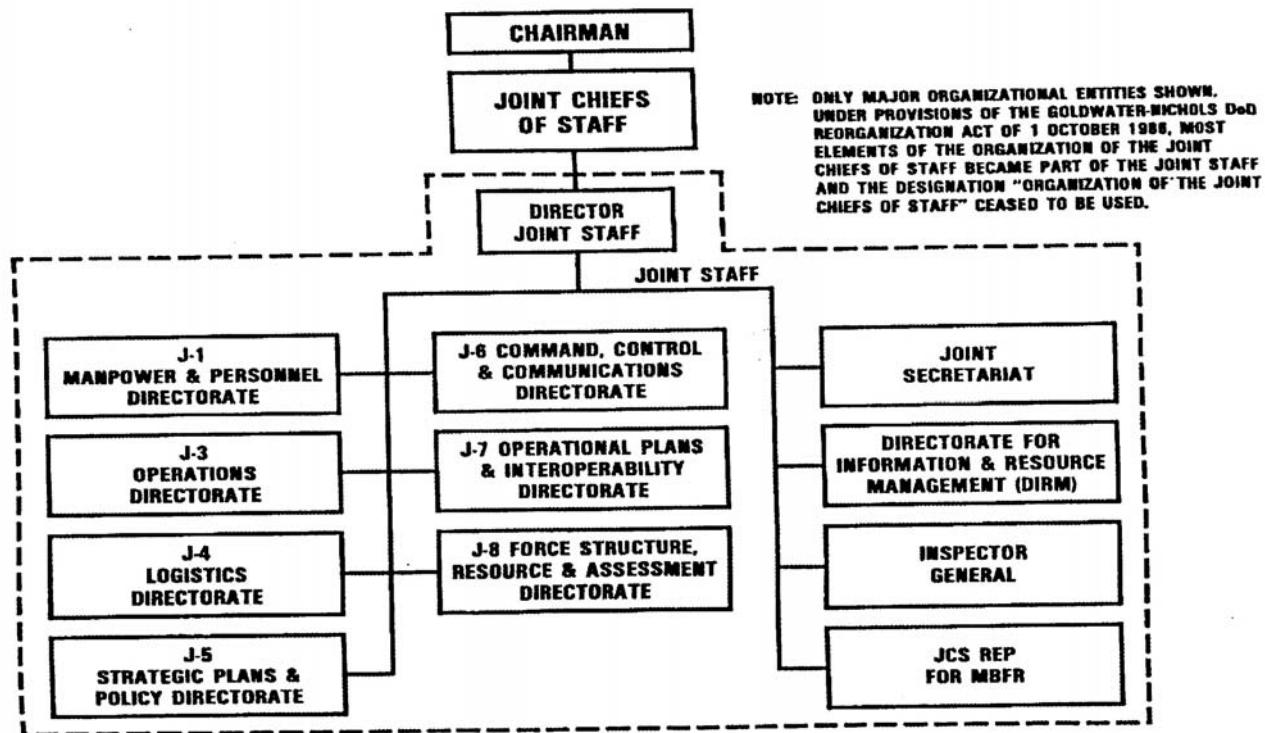


Source: Victor H. Krulak, *Organization For National Security, A Study*,
(Washington: United States Strategic Institute, 1983), p. 77.

Appendix I

JCS Organization

30 June 1987



Source: Joint Chiefs of Staff, Historical Division, *Organizational Development of the Joint Chiefs of Staff: 1942-1989* (Washington: Government Printing Office, 1989), p. 68.

Glossary - Acronyms

ACAT	Acquisition Category
ACTD	Advanced Concept Technology Demonstration
ASD(C3I)	Assistant Secretary of Defense (Command, Control, Communications and Intelligence)
CAIV	Cost as an independent variable
CINC	Commander in Chief
CJCS	Chairman of the Joint Chiefs of Staff
CJCSI	Chairman of the Joint Chiefs of Staff Instruction
CPA	Chairman's Program Assessment
CPR	Chairman's Program Recommendation
CRD	Capstone Requirements Document
DAB	Defense Acquisition Board
DIA	Defense Intelligence Agency
DOD	Department of Defense
DPG	Defense Planning Guidance
DRB	Defense Resources Board
IPL	Integrated Priority List
JCS	Joint Chiefs of Staff
JRB	JROC Review Board
JROC	Joint Requirements Oversight Council

JROCM	JROC memorandum
JROCSM	JROC Staff memorandum
JWCA	Joint Warfare Capabilities Assessment
MAA	Mission Area Analysis
MAIS	Major Automated Information System
MDAP	Major Defense Acquisition Program
MFR	Memorandum for the Record
MNS	Mission Need Statement
NSA	National Security Advisor
NSC	National Security Council
ORD	Operational Requirements Document
OSD	Office of the Secretary of Defense
PBD	Program Budget Decision
PDM	Program Decision Memorandum
PPBS	Planning, Programming and Budgeting System
PRG	Program Review Group
SASC	Senate Armed Services Committee
USD(A& T)	Under Secretary of Defense for Acquisition and Technology
VCJCS	Vice Chairman of the Joint Chiefs of Staff

Glossary – Definitions

Acquisition Category (ACAT). Categories established to facilitate decentralized decision making and execution, and compliance with statutorily imposed requirements. The categories determine the level of review, decision authority, and applicable procedures. DOD 5000.2-R, part 1, provides the specific definition for each acquisition category (ACAT I through III).

ACAT 1D. A major defense acquisition program subject to Defense Acquisition Board oversight and estimated by the USD(A& T) to require an eventual total expenditure of more than \$355,000,000 in RDT& E funds, or \$2,135,000,000 in procurement funds measured in FY1996 constant dollars.

ACAT IA. A major automated information system acquisition program that is estimated to require program costs in any single year in excess of \$30,000,000, total program costs in excess of \$120,000,000, or total life cycle costs in excess of \$360,000,000 (FY 1996 constant dollars).

ACAT IAM. A major automated information system acquisition program that is subject to Major Automated Information System Review Council oversight.

Acquisition Program Baseline (APB). Developed and updated by the program manager, each baseline will govern the activity in the phase succeeding the milestone for which it was developed. The Concept Baseline, Development Baseline, and Production Baseline are prepared at Milestone I, II, and III, respectively. APBs consist of three parts: section A--performance (contains KPPs), section B--schedule, and section C--cost.

Advanced Concept Technology Demonstration (ACTD). A means of demonstrating mature technology to address critical military needs. ACTD's are not acquisition programs, although they are designed to provide a residual, usable capability upon completion.

Approval. The formal or official sanction of the identified need described in the requirements documentation. Approval also certifies that the documentation has been subject to the uniform process established by

DOD 5000 series.

Analysis of Alternatives (AOA). The evaluation of the estimated costs and operational effectiveness of alternative material systems to meet a mission need. The AOA assists decision makers in selecting the most cost-effective material alternative to satisfy a mission need.

Certification. Coordination provided by a responsible agency for a specific area of concern in support of the validation process.

Capstone Requirements Document (CRD). A document that contains performance-based requirements to facilitate development of individual ORDs by providing a common framework and operational concept to guide their development.

DOD Component. OSD, the Military Departments, the Chairman of the Joint Chiefs of Staff (Joint Staff), the unified and specified commands (including US Element, NORAD), Defense agencies, and DOD field activities.

DOD 5000 Series. Refers collectively to DODD 5000.1 and DOD 5000.2-R.

Implementation. The publication of directives, instructions, regulations, and related documents that define responsibilities and authorities and establish the internal management processes necessary to implement the policies or procedures of a higher authority.

Joint Potential Designator (JPD). Used to describe the expected level of joint DOD component involvement.

a. Independent. No potential for other Service use or systems interface or for joint development or procurement.

b. Joint Interest. Joint program management is inappropriate, but a potential for other Service use or systems interface exists (formerly interoperating).

c. Joint. A potential for joint program management, joint funding, and/ or joint development or procurement exists.

Joint Requirements Oversight Council Memorandum (JROCM). Official JROC correspondence generally directed to an audience(s) external to the JROC. Usually decisional in nature.

Joint Requirements Oversight Council Staff Memorandum (JROCSM). Official JROC correspondence generally utilized for internal staffing and tasking. Usually predecisional in nature and not releasable outside of JROC circles.

Key Performance Parameters (KPPs). Those performance parameters validated by the JROC and included in the APB. They are those capabilities or characteristics considered most essential for successful mission accomplishment. Failure to meet a KPP threshold can cause for the concept or system selection to be reevaluated or the program to be reassessed or terminated.

Lead DOD Component. The Service or agency that has been formally designated as lead for a joint program by the MDA. The lead component is responsible for all common documentation, periodic reporting, and funding actions.

Major Automated Information System (MAIS) Program. An automated information system acquisition program that is estimated to require program costs in any single year in excess of \$30,000,000, total program costs in excess of \$120,000,000, or total life cycle costs in excess of \$360,000,000 (FY 1996 constant dollars).

Major Defense Acquisition Program (MDAP). An acquisition program that is not a highly sensitive classified program and is estimated by the USD(A& T) to require an eventual total expenditure of more than \$355,000,000 in RDT& E funds, \$2,135,000,000 in procurement funds, measured in FY 1996 constant dollars, or programs designated as an MDAP by the USD(A& T).

Materiel Solution. A defense acquisition program (non-developmental, modification of existing systems, or new program) that satisfies identified mission needs.

Milestones. Major decision points that separate the phases of an acquisition program.

Military Department. Headed by a civilian Secretary appointed by the President and includes a Military Service (the Department of the Navy includes two Services).

Military Service. Headed by a uniformed member who reports to the civilian Secretary heading the Military Department of which the Service is a part.

Mission Area Analysis (MAA). A process by which warfighter deficiencies are determined, technological opportunities for increased system effectiveness and/ or cost reduction are assessed, and mission needs are identified.

Mission Need. A deficiency in current capabilities or an opportunity to provide new capabilities (or enhance existing capabilities) through the use of new technologies. They are expressed in broad operational terms by the DOD components.

Mission Need Statement (MNS). A formatted non-system-specific statement containing operational capability needs and written in broad operational terms. It describes required operational capabilities and constraints to be studied during the Concept Exploration and Definition Phase.

Nonmajor Defense Acquisition Program. Does not meet criteria for a MDAP. Further defined as ACAT II or III in DOD 5000.2-R, part 1.

Nonmateriel Solution. Changes in doctrine, tactics, training, or organization to satisfy identified mission needs. MNSs with an identified nonmateriel solution are sent to the Military Departments for consideration and action.

Objective. An operationally significant increment above the threshold. An objective value may be the same as the threshold when an operationally significant increment above the threshold is not significant or useful.

Operational Requirements. A system capability or characteristic required to accomplish approved mission needs. Operational (including supportability) requirements are typically performance parameters, but they may also be derived from cost and schedule. For each parameter, an objective and threshold value must also be established.

Operational Requirements Document (ORD). A formatted statement containing performance and related operational parameters for the proposed concept or system. Prepared by the user or user's representative at each milestone beginning with Milestone I, Concept Demonstration Approval.

Operational Validation Authority. Designated authority responsible for confirming the user's identified need and operational requirement. Designation of this operational validation authority is the responsibility

of the MDA and will vary between DOD components and the ACAT level of the program.

Operator. An operational command or agency that employs the acquired system for the benefit of users. Operators may also be users.

Originator. A DOD component or operational command that initiates a MNS. The originator may or may not be the sponsor.

Resources. The forces, materiel, and other assets or capabilities apportioned or allocated to the commander of a combatant command.

Requirement. The need of an operational user, initially expressed in broad operational capability terms in the format of a MNS. It progressively evolves to system-specific performance requirements in the ORD.

Sponsor. The DOD component responsible for all common documentation, periodic reporting, and funding actions required to support the requirements and acquisition process.

Threshold. A minimum acceptable operational value below which the utility of the system becomes questionable.

User. An operational command or agency that receives or will receive benefit from the acquired system. CINCs and their Service component commands are the users. There may be more than one user for a system. The Service component commands are seen as users for systems required to organize, equip, and train forces for the CINCs. The Chiefs of the Services and heads of other DOD components are validation and approval authorities and are not viewed as users.

User Representative. A command or agency that has been formally designated by proper authority to represent single or multiple users in the requirements and acquisition process. The Services and the Service components of the CINCs are normally the user representatives. There should only be one user representative for a system.

Validation. The review of documentation by an operational authority other than the user to confirm the need or operational requirement. As a minimum, the operational validation authority reviews the MNS, confirms that a nonmateriel solution is not feasible, assesses the joint Service potential, and forwards a recommendation to the MDA for Milestone 0 action. Validation is a necessary, but not sufficient, step for

approval. This step appears identical to approval in the case of a MNS, but the JROC may delegate final ORD approval authority while retaining validation authority.

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